the state and national energy mix, but Ohio's mandates make energy prices higher today and create significant red-tape hurdles for manufactures who are forced to spend more money to meet their energy needs and less on hiring.

Other academic research supports our concerns about the dire impact that regulations have on job creation. The Regulatory Studies Center at George Washington University, for instance, has noted that most empirical analyses find that regulation has a negative effect on entrepreneurship,[19] which should concern lawmakers because research also shows that first-year entrepreneurial start-ups have historically been net job creators even as existing businesses are net job destroyers.[20] Thus, regulations that harm entrepreneurship, harm job growth.

The Ohio Senate's more recent steps to improve the state's regulatory environment, such as Senator Uecker's Senate Bill 221 allowing the Joint Committee on Agency Rule Review to conduct more immediate reviews of rules and their effects, and Senator McColley's Senate Bill 255 reforming Ohio's occupational licensing regime, are steps in the right direction.

Senate Bill 293 builds upon those efforts by requiring state agencies to review their existing rules and identify those rules that have regulatory restrictions that include the words "shall," "must," "require," "shall not," "may not," and "prohibit." When the Mercatus Center at George Mason University studied the use of these regulatory words and corresponding restrictions across multiple states, it concluded that Ohio compares poorly.[21] Despite some methodological limitations, the Mercatus Center study offers a rough quantification of the regulatory burden that the Ohio Administrative Code imposes on Ohioans.[22] Senate Bill 293 makes good use of the Mercatus study by requiring every state agency to take a closer look at its existing restrictions and then requiring them to prepare a base inventory of those restrictions in order to begin limiting and reducing their numbers.

Canada's British Columbia adopted a similar policy creating a regulation inventory and then capping the maximum allowable regulatory restrictions.[23] Since 2001, British Columbia has reduced its regulatory restrictions by nearly 50 percent -- and without endangering public safety.[24]

A comprehensive inventory of agency restrictions will give policymakers a clearer picture of where the state's bureaucratic red tape truly lies; and a cap on regulatory restrictions will compel agencies and the General Assembly to carefully consider and prioritize any new restriction proposed. Senate Bill 293 advances the Senate's yeoman's effort to develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

---

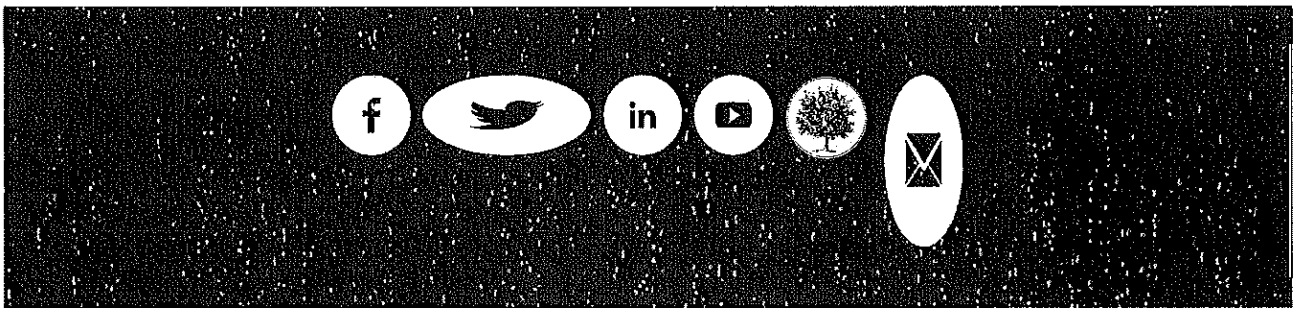
[1] Morris M. Kleiner, ***Occupational Licensing: Protecting the Public Interest or Protectionism?***, W.E. Upjohn Institute for Employment Research, July 2011.
[2] *Ibid.*
[3] Morris M. Kleiner and Robert T. Kudrle, **Does Regulation Affect Economic Outcomes?: The Case of Dentistry**, working paper, National Bureau of Economic Research, January 1997.
[4] Dick M. Carpenter, **Blooming Nonsense: Licensure and Consumer Protection**, *Regulation*, Spring 2011, Volume 34 Issue 1, p. 44-47.
[5] Morris M. Kleiner, **License to Compete: Occupational Licensing and the State Action Doctrine**, Testimony before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, February 2, 2016.
[6] Morris M. Kleiner, ***Reforming Occupational Licensing Policies***, The Hamilton Project, March 2015.
[7] The White House, **Occupational Licensing: A Framework for Policymakers**, July 2015.
[8] Secretary of Labor Alexander Acosta, **Speech before the 44th Annual Meeting of the American Legislative Exchange Council**, U.S. Department of Labor, July 21, 2017.
[9] Tom Lampman, ***Forbidden to Succeed: How Licensure Laws Hold Ohioans Back***, The Buckeye Institute, November 18, 2015.
[10] Orphe Pierre Divounguys, PhD, Bryce Hill, and Greg R. Lawson, ***Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce***, The Buckeye Institute, December 18, 2017.
[11] *Ibid.*
[12] Greg R. Lawson, **Goodbye, Ohio. A Talented Massage Therapist Forced to Leave State Because of Crazy Licensing Rules**, The Buckeye Institute, February 29, 2016.
[13] Ohio Revised Code §4713.28.
[14] Ohio Administrative Code §4765-15-05.
[15] Orphe Divounguy, PhD., Rea S. Hederman, Jr., Joe Nichols, and Lucas Spitzwieser, ***The Impact of Renewable Portfolio Standards on the Ohio Economy***, The Buckeye Institute, March 3, 2017.
[16] Greg R. Lawson, research fellow, The Buckeye Institute, **Testimony** Before the Ohio Senate Energy and Natural Resources Committee, June 6, 2018.
[17] *Ibid.*
[18] *Ibid.*
[19] Ana Maria Zarate Moreno, **Regulation, Innovation, and Entrepreneurship: A Review of the Literature**, Regulatory Studies Center, George Washington University, December 8, 2015.
[20] Tim Kane, ***The Importance of Startups in Job Creation and Job Destruction***, Ewing Marion Kaufman Foundation, September 9, 2010.
[21] James Broughel and Jonathan Nelson, **A Snapshot of Ohio Regulation in 2018**, Mercatus Center, February 26, 2018.
[22] The Mercatus study counts all restrictive words but does not distinguish between those restrictions that apply to Ohio citizens or businesses from those that apply to state agency actions and thus might actually prove beneficial. The study also does not distinguish between rules that are imposed strictly by the state from those that incorporate federally imposed mandates.
[23] **Regulatory and Service Improvement BC: How We Count**, Province of British Colombia (Last visited June 25, 2018).

[24] Ministry of Small Business and Red Tape Reduction and Responsible for the Liquor Distribution Branch, ***Achieving a Modern Regulatory Environment: B.C.'s Regulatory Reform Initiative***, Province of British Colombia, 2017.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe™ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Wednesday, June 27, 2018 1:05 PM
To: Best, Carolyn
Subject: The Buckeye Institute's President and CEO Robert Alt: Janus v. AFSCME Decision a Victory for Workers and First Amendment

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
June 27, 2018

The Buckeye Institute's President and CEO Robert Alt: Janus v. AFSCME Decision a Victory for Workers and First Amendment

Columbus, OH -- Robert Alt, president and chief executive officer of **The Buckeye Institute**, issued the following statement on the U.S. Supreme Court's decision in *Janus v. AFSCME*.

"The Supreme Court today in ***Janus v. AFSCME*** announced its basic rule of human decency and common sense: consent matters-and our hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent."

The Buckeye Institute also announced the launch of its **WorkersChoose.org** website to assist public-sector workers with information about how to notify their unions about whether they would like to consent or not.

###

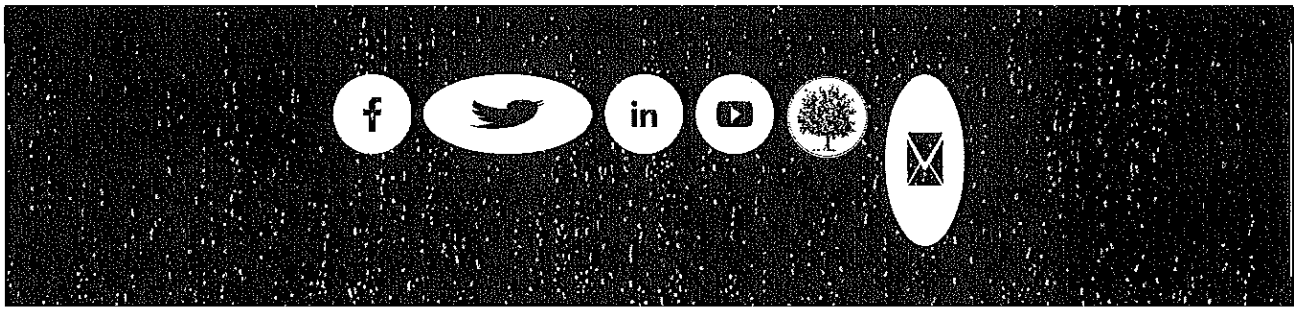
Related Content:
Robert Alt Statement Following Oral Arguments in *Janus v. AFSCME*, February 26, 2018

The Money Behind Janus: It's Deja vu All Over Again, By Robert Alt, *National Review*, February 26, 2018
Robert Alt Statement: Unions Should Rally Behind the First Amendment Rights of All Public Employees, February 24, 2018
The Buckeye Institute Files Amicus Brief in Janus Case, December 6, 2017
It's Time for Public Sector Workers to be Given a Voice and Choice, By Robert Alt, *Forbes*, November 27, 2017
Supreme Court Takes Up *Janus v. AFSCME*, September 28, 2017
The Buckeye Institute Files Amicus Brief in *Janus v. AFSCME* Supporting Free Speech, July 20, 2017

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe™ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Wednesday, June 27, 2018 4:02 PM
To: Best, Carolyn
Subject: The Buckeye Institute: Policies in SB66 Will Help Ohioans Rebuild Their Lives

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
June 27, 2018

The Buckeye Institute: Policies in SB66 Will Help Ohioans Rebuild Their Lives

Columbus, OH -- Daniel J. Dew, legal fellow at **The Buckeye Institute's** Legal Center, issued the following statement on the passage of Senate Bill 66, sponsored by senators John Eklund (R-18) and Charleta Tavares (D-15). The bill now awaits Governor John Kasich's signature.

"Today, with the passage of Senate Bill 66, Ohio took another step forward to help our fellow citizens rebuild their lives. These new policies will help Ohioans, who have committed low-level offenses and often suffer from addiction or mental health issues, get the treatment they need, and, after repaying their debt to society, will enable them to remove the modern-day scarlet letter of a criminal record that is a barrier to employment, housing, and education," said Daniel J. Dew, legal fellow at The Buckeye Institute's **Legal Center**. "Thanks to the hard work and dedication of senators Eklund and Tavares, Senate President Larry Obhof (R-22), as well as Representative Nathan Manning (R-55), more Ohioans will have the ability to provide for themselves and their families."

Among other things, Senate Bill 66 changes the purposes of criminal sentencing to include rehabilitation, expands opportunities for defendants to be placed in treatment programs, and gives judges more discretion to seal criminal records for people who have shown a commitment to staying on the straight and narrow.

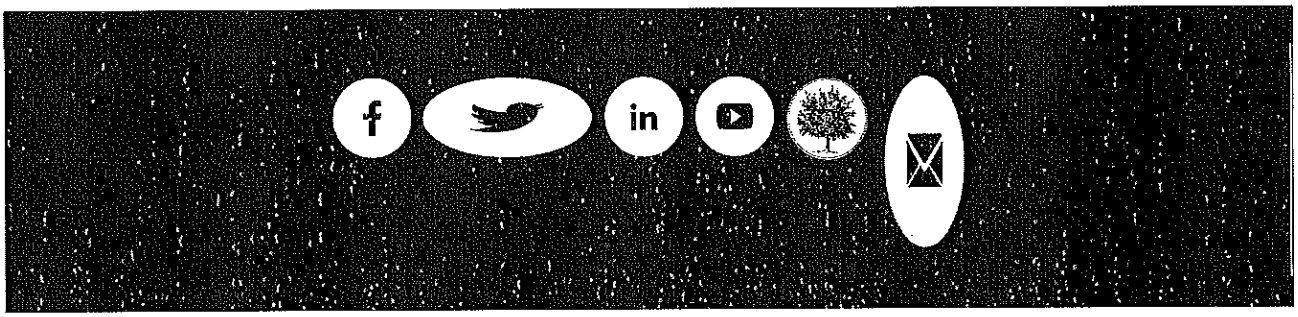
"I want to thank The Buckeye Institute for its help in the process. With Sub. Senate Bill 66 Ohio takes significant, purposeful steps forward in our efforts to promote the rehabilitation of offenders and their reintegration into society," said Senator John Eklund, one of the bill's primary sponsors. "Many offenders clearly need treatment more than they need prison, and can be more effectively punished and rehabilitated in alternative corrections facilities."

Eklund continued, "By expanding the availability of alternatives to prison, promoting treatment for those who need it, and broadening opportunities for ex-offenders to have their records sealed, this bill will reduce costs and recidivism, and enhance the role our criminal justice system plays in keeping us safe while ensuring a just society."

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe℠ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Wednesday, June 27, 2018 4:14 PM
To: Best, Carolyn
Subject: The Buckeye Institute: Licensing Reform Policies in SB 255 Benefit Ohio Workers

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
June 27, 2018

The Buckeye Institute: Licensing Reform Policies in SB 255 Benefit Ohio Workers

Columbus, OH -- **The Buckeye Institute** issued the following statement following the passage of Senate Bill 255.

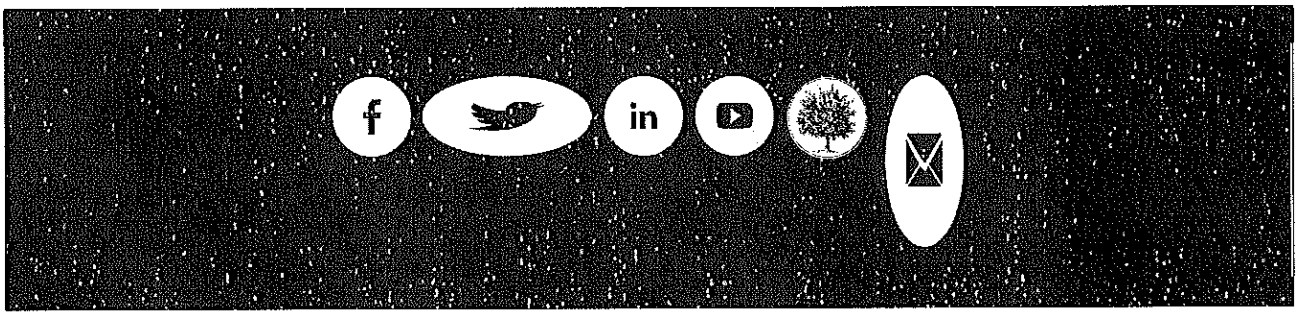
"Today the Ohio Senate took a major step forward in addressing Ohio's burdensome occupational licensing regime. By moving forward with the policies in Senate Bill 255 the General Assembly is strengthening the tools available to ensure licenses are the least restrictive while fully ensuring public safety," said Greg R. Lawson, research fellow at The Buckeye Institute. "It is time to stop making Ohio less competitive, less prosperous, and less attractive to entrepreneurs and their employees. Too many licensing requirements only make finding a job more difficult for those who can least afford it."

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support

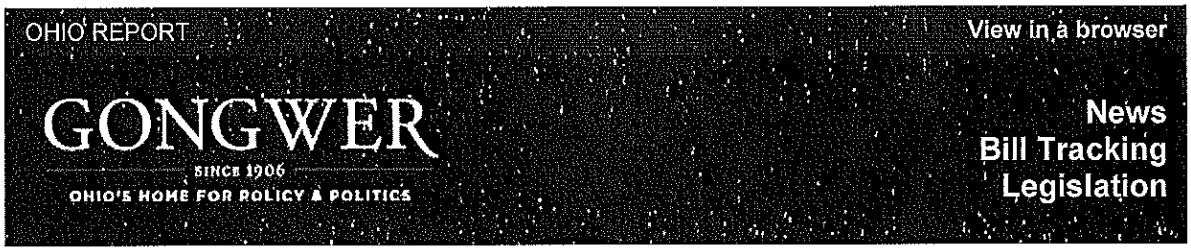
from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe™ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

From: Gongwer News Service
Sent: Wednesday, June 27, 2018 10:11 PM
To: Best, Carolyn
Subject: Ohio Report, Wednesday, June 27, 2018
Attachments: Jun27Senate.htm; 180627dayplan.htm; Jun27.htm; Jun27House.htm



OHIO REPORT
WEDNESDAY, JUNE 27

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Senate Passes Measures Focused On Reducing Regulations

Bills Amended To Enhance Online School Oversight Head To Governor

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Chairman: Senate Looking For Balance With Payday Lending Measure

Prosecutors Praise Beefed Up Parole Monitoring Bill

Senate Releases Session Calendar

Governor's Appointments

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

- Energy & Natural Resources
- Government Oversight & Reform
- Finance
- Transportation, Commerce & Workforce
- Education

House Committee Hearings

- Agriculture & Rural Development
- Insurance
- Government Accountability & Oversight
- Health
- Civil Justice

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

Please send all correspondence to gongwer@gongwer-oh.com. This mailbox is not regularly monitored.

View as a Web Page

Copyright 2018, Gongwer News Service/Ohio
17 S. High St., Suite 630, Columbus OH 43215
All Rights Reserved. This message and any attachments may not be forwarded or reproduced without express permission from Gongwer News Service.

unsubscribe

Senate Activity for Wednesday, June 27, 2018

INTRODUCED

SB 313 **COLLEGE APPLICATION MONTH** (Schiavoni, J.) To establish the College Application Month program. Am. 3314.03, 3326.11, and 3328.24 and to enact sections 3313.6024 and 3333.301.

SB 314 **SCHOOL PSYCHOLOGISTS** (Schiavoni, J.) With regard to mental health services in public and nonpublic schools, to require school districts to employ school psychologists and intervention specialists, to provide an additional state payment to school districts for school psychologist and intervention specialist services, and to make an appropriation. Am. sections 3314.03 and 3326.11 and to enact sections 3301.0730, 3317.26, 3319.077, and 3319.078 of the Revised Code and to amend Section 265.10 of Am. Sub. H.B. 49 of the 132nd General Assembly and Section 265.210 of Am. Sub. H.B. 49 of the 132nd General Assembly, as subsequently amended.

PASSED

HB 18 **SPECIAL ELECTIONS** (Pelanda, D., Retherford, W.) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.
(32-0 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of

Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.
32-0 (Schiavoni & Skindell) Earlier REPORTED-AMENDED
Gongwer Coverage

HB 95 **DISTRACTED DRIVING** (Hughes, J., Seitz, B.) To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.
31-1 (Jordan)
Gongwer Coverage

HB 168 **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, to allow the Board of Embalmers and Funeral Directors to review and vote upon certain license suspensions by telephone, to make various other changes to the embalmers, funeral directors, and crematory licensing laws, and to make an appropriation.
32-0
Gongwer Coverage

HB 263 **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.
32-0
Gongwer Coverage

HB 312 **POLITICAL SUBDIVISION SPENDING** (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to

the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.
32-0 (Earlier REPORTED-SUBSTITUTE (No testimony)
Gongwer Coverage

HB 336 **LICENSE FEES** (**Barnes, J.**, **Greenspan, D.**) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.
32-0
Gongwer Coverage

HB 347 **ROAD NAMING** (**Keily, B.**, **Dever, J.**) To designate multiple memorial highways.
32-0 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SB 119 **OPIOID MEDICATIONS** (**Hackett, B.**, **Hottinger, J.**) Regarding naltrexone and medication-assisted treatment.
32-0
Gongwer Coverage

SB 229 **CONTROLLED SUBSTANCES** (**Eklund, J.**) To modify the laws pertaining to regulation of controlled substances and to make other changes in the laws administered by the State Board of Pharmacy.
32-0
Gongwer Coverage

SB 255 **OCCUPATIONAL LICENSING** (**McColley, R.**) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.
24-8 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SB 273 **RATING AGENCIES** (Hackett, B.) To enact for the Revised Code a definition of the term "rating agency."
32-0
Gongwer Coverage

SB 293 **ADMINISTRATIVE REGULATIONS** (Peterson, B., McColley, R.) To require agencies to reduce the number of regulatory restrictions.
23-9 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SCR 21 **APPALACHIAN STORAGE HUB** (Balderson, T.) To urge the Congress of the United States to enact various bills advancing the development of an Appalachian storage hub.
31-1 (Skindell)
Gongwer Coverage

SCR 23 **FEDERALISM** (Obhof, L., Peterson, B.) To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.
25-7
Gongwer Coverage

INFORMALLY PASSED

SB 86 **DAY DESIGNATION** (Hackett, B.) To designate multiple memorial highways and bridges, to create multiple nonstandard license plates, to create multiple special designations, and to designate John Glenn's childhood home as a state historic site.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 66 **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility

criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.
29-0
Gongwer Coverage

SB 127 **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.
29-0
Gongwer Coverage

SB 135 **VOTING EQUIPMENT** (LaRose, F.) To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.
31-1 (Jordan)
Gongwer Coverage

SB 216 **SCHOOL REGULATIONS** (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.
28-1 (Brown)
Gongwer Coverage

SB 220 **CYBERSECURITY** (Hackett, B., Bacon, K.) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.
29-0

Gongwer Coverage

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof.
23-6
Gongwer Coverage

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."
29-0
Gongwer Coverage

SB 299 **WATER IMPROVEMENTS** (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.
29-0
Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 **DRUG OFFENSES** (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of

permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.
31-1 (Skindell)
Gongwer Coverage

COMMITTEE HEARINGS

Energy & Natural Resources

HB 114 **RENEWABLE ENERGY** (**Blessing, L.**) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. (**SCHEDULED BUT NOT HEARD (See separate story)**; 8th Hearing-Possible amendments & vote)

SB 51 **LAKE ERIE** (**Skindell, M.**, **Eklund, J.**) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (**REPORTED-AMENDED (No testimony)**; 4th Hearing-All testimony-Possible vote)

Before reporting the measure, the committee adopted an amendment from **Sen. Michael Skindell** (D-Lakewood). The senator said his fellow lead cosponsor, **Sen. John Eklund** (R-Chardon), has also signed off on the change, which ensures that if state property lies within the district, the required assessment will not be forced upon the state.

Government Oversight & Reform

HB 18 **SPECIAL ELECTIONS** (**Pelanda, D.**, **Retherford, W.**) To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (**REPORTED-SUBSTITUTE**; 2nd Hearing-All testimony-Possible amendments & vote)

A substitute version offered by chairman **Sen. Bill Coley** (R-Liberty Twp.) rolls another measure (**SB 252**) into the bill that allows local elected officials to serve on the board of a convention and visitors' bureau.

In written proponent testimony, **Secretary of State Jon Husted** said the original measure will save taxpayer dollars. He noted that a special congressional election in 2016 with just one candidate costed $340,000.

HB 312 **POLITICAL SUBDIVISION SPENDING** (**Schuring, K.**, **Greenspan, D.**) Regarding use of credit cards and debit cards by political subdivisions. (**REPORTED-SUBSTITUTE (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Matt Huffman** (R-Lima) largely cleans up language in the bill and also continues a property tax abatement for the City of Lorain, Sen. Coley explained.

HB 34 **PUBLIC NOTICES** (Hambley, S., Ryan, S.) To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (**REPORTED-SUBSTITUTE (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

Sen. Huffman offered an amendment accepted without objection to remove some sections pertaining to when electronic notices would not be allowed and to allow a recently elected public official to take public records training prior to taking office.

Another change allows a county prosecutor's office to represent port authorities, planning commissions and regional airport, Sen. Coley explained.

SB 202 **OFFENDER RE-ENTRY** (Bacon, K., O'Brien, S.) To require the Department of Rehabilitation and Correction to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Law. (**CONTINUED (See separate story)**; 3rd Hearing-Proponent)

SB 255 **OCCUPATIONAL LICENSING** (McColley, R.) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations. (**REPORTED-SUBSTITUTE**; 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Joe Uecker** (R-Loveland) makes several changes, including adding factors to the list used in determining whether an occupational licensing board has demonstrated a public need. (**Comp doc**)

It also provides that occupational regulations that are created by adopting national standards used in at least 45 states are deemed to be narrowly tailored and the least restrictive.

In written opponent testimony, Jarrod Clabaugh, executive director of the Ohio Society of Association Executives, called for lawmakers to seek additional input on the bill.

John Graham, president and CEO of the Center for Association Leadership, called for the creation of a task force.

"We suggest that instead the legislature establish a task force to consider the problem of excessive occupational licensing and to develop ways to address that problem without weakening the protections to the public offered by governmental recognition of private certification programs," he wrote.

Subscribers Note: For full testimony see the **committee's website** under June 26.

Finance

HB 123 **LENDING LAWS** (**Koehler, K.**, **Ashford, M.**) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (**CONTINUED (See separate story)**; 5th Hearing-All testimony-Possible vote)

Transportation, Commerce & Workforce

HB 347 **ROAD NAMING** (**Kelly, B.**, **Dever, J.**) To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway." (**REPORTED-SUBSTITUTE (No testimony)**; 3rd Hearing-All testimony-Possible amendments & vote)

Chairman **Sen. Frank LaRose** (R-Hudson) said the substitute version allows the legislation for to be used as a vehicle for the naming of multiple memorial stretches of highway honoring people killed in the line of duty.

SB 293 **ADMINISTRATIVE REGULATIONS** (**Peterson, B.**, **McColley, R.**) To require agencies to reduce the number of regulatory restrictions. (**REPORTED-SUBSTITUTE**); 4th Hearing-All testimony-Possible amendments & vote)

The committee accepted a substitute offered by **Sen. Rob McColley**, (R-Napoleon), who said the updated measure would apply the mandate to cut regulations by 30% statewide "at more of a macro level than the micro level."

Sen. McColley said his version would require every head of a cabinet-level department and every statewide elected official to inventory all regulations associated with their departments, as well as the commissions or agencies under them, and apply the 30% reduction "in the aggregate." He said the change was needed because some individual agencies or commissions might not have room to cut the percentage of regulations required by the original legislation.

"There are many state agencies that are already running pretty lean and already have very few rules," he said.

The substitute version also would give the Joint Committee on Agency Rule Review the authority to approve or deny the cuts, he said.

Sen. Matt Dolan (R-Chagrin Falls) said he agrees with the goal but has concerns the legislature may be ceding two much authority under the proposal.

"We're asking (agencies) to get rid of regulations that are contrary to legislative intent," he said. "I would rather be the one to dictate what legislative intent is."

Sen. McColley said he thinks the substitute bill "actually strengthened the authority of JCARR," and therefore, the legislature.

The panel reported the bill along party lines after accepting the substitute version.

Before accepting Sen. McColley's changes, the committee tabled a substitute bill offered by **Sen. Charleta B. Tavares** (D-Columbus) that she said would remove the requirement that regulations be cut by 30% across the board in the state. Her version instead would have instead required state agencies to cut regulatory restrictions until a reduction "deemed sufficient by the state agency in consultation with (JCARR) has been achieved," she said. She said the substitute version also would have prohibited agencies from removing regulations required by federal law, among other changes.

"What we're trying to do is enlist both JCARR and the agencies in identifying those regulations or statutes that should be removed ... so that we can make informed decisions," she said.

Ahead of the adoption of the substitute legislation, Greg Lawson, research fellow with the Buckeye Institute, said the state "desperately needs" the effort to cut unneeded regulations to boost the economy. He said the state's licensing requirements are more restrictive than most states.

"Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways," he said. "But the same cannot be said with respect to auctioneers, travel guides, and hairdressers-all currently subject to Ohio's byzantine and overly restrictive licensing requirements."

Mr. Lawson said efforts to rein in regulations could lead to employers hiring more workers and employees earning more.

"Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses," he said. "Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates.

SB 308 **ELEVATOR LAW** (**Uecker, J.**, **Yuko, K.**) To revise the Elevator Law. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Joe Uecker (R-Loveland) said in sponsor testimony the measure, which has companion legislation (**HB 236**) in the House, would "modernize" the state's elevator laws. "Taking elevators is a regular occurrence in our day to day lives and malfunctions can cause serious injuries to riders. SB308 seeks to codify industry standards and set licensure qualifications to help ensure the safety of both elevator riders and workers," he said.

He said the measure would update the state's definition for elevators and create an Elevator Safety Review Board, among other changes.

Sen. Kenny Yuko (D-Richmond Hts.), the measure's other primary sponsor, said the bill also establishes new licensing and insurance requirements for elevator contractors, inspectors and mechanics.

"Our goal is to ensure the safety for the public and for those who work and install elevators. The best way for us to ensure a high level of safety is to ensure that all elevators are installed and maintained by licensed professionals."

HCR 10 **ANTI-SEMITISM** (Thompson, A., Greenspan, D.) To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. (**REPORTED-AMENDED**; 5th Hearing-All testimony-Possible amendments & vote)

Chairman LaRose amended the bill with language condemning white nationalists and other hate groups.

Sen. Tavares offered a substitute resolution, which would have condemned attacks and discrimination against all minority groups by hate groups including white nationalists and neo-Nazis, and remove references to the boycott movement.

"We can't say people can't talk," she said. "That goes against who we are as a nation and a state."

The panel tabled her proposal, and Sen. Tavares subsequently cast the lone vote against reporting the measure.

Prior to the report, Connie Hammond, a member of United Methodists for Kairos Response and the Free Speech Coalition of Ohio, said the legislation unfairly conflates the Boycott, Divestment, Sanctions movement with anti-Semitism and could be seen as a form of censorship.

"The International BDS movement is not anti-Semitic," she said. "The call to BDS issued by 170 Palestinian civil society organizations asked the international community to stand for freedom, equality and justice."

Sen. LaRose said he rejects the idea that the measure constituted any kind of censorship. "There's nothing in here that restricts speech," he said.

Education

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (**REPORTED-AMENDED (See separate story)**; 4th Hearing-All testimony-Possible amendments & vote)

SB 34 **ACADEMIC YEAR** (Manning, G.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. **(Scheduled but not heard)**; 7th Hearing-All testimony-Possible vote)

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

Click the after a bill number to create a saved search and email alert for that bill.

© 2018, Gongwer News Service, Inc. Reproduction of this publication in whole or in part without the express permission of the publisher is in violation of the federal Copyright Law (17 USC 101 et seq.) as is retransmission by facsimile or any other electronic means, including electronic mail.

Daily Activity Planner for Thursday, June 28

Legislative Committees

Joint Medicaid Oversight Committee (Committee Record) **(Chr. Huffman, S., 466-7584), Rm. 313, 9 a.m.**

- **Behavioral Health Redesign Update from Barbara Sears, Director, Ohio Department of Medicaid and Emily Higgins, Chair, OAHP Behavioral Health Subcommittee**
- **PBM Report from Barbara Sears, Director, Ohio Department of Medicaid**

Joint Ohio College Affordability Committee (Chr. Wilson, S., 466-9739), Senate Finance Hearing Rm., 10 a.m.

- **Overview of strategies for preserving and improving the affordability of a college education in Ohio by the Ohio Association of Community Colleges and the Inter-University Council of Ohio**

Joint Education Oversight Committee (Committee Record) **(Chr. Manning, G., 466-8150), North Hearing Rm., 11:30 a.m.**

- **Presentations by Connie Shriver (Coordinator of Career & Academic Readiness Education at the Mid-East Career and Technology Centers), Mary Murphy (Manager of Adult Success Initiatives at Lorain Community College), and Greg Harp (Vice President of Graduation Alliance) on Adult Graduation Pathways**
- **Presentations by the Ohio Department of Education and the Ohio Department of Job and Family Services on Early Childhood Programs**
- **Update on progress of other research projects (tentative)**

Agency Calendar

Civil Rights Commission, Lobby Mtg. Rm., 1st Fl., 30 E. Broad St., Columbus, 9:30 a.m.

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Rep. Brian Hill (R-Zanesville) golf outing fundraiser, Eaglesticks Golf Club, 2655 Maysville Pike, Zanesville, 9:30 a.m., (9:30 am registration; 10:30 am shotgun start; 4:30 pm barbeque. Brian D. Hill for State Representative)

Rep. Stephanie Howse (D-Cleveland) & Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Lake Affect Studios, 1615 East 25th St., Cleveland, 5:30 p.m., ($500, $150, $75, $35 to Friends of Stephanie Howse, Friends of Janine Boyd)

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

© 2018, Gongwer News Service, Inc. Reproduction of this publication in whole or in part without the express permission of the publisher is in violation of the federal Copyright Law (17 USC 101 et seq.) as is retransmission by facsimile or any other electronic means, including electronic mail.

Volume #87, Report #124 -- Wednesday, June 27, 2018

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

A busy day of lawmaking Wednesday saw a wide variety of bills sent to Gov. John Kasich's desk, including long-sought funding for new voting equipment and money to fight harmful algal blooms in Lake Erie.

In total, the two chambers sent 19 bills to the governor, including a pair dealing with oversight for charter schools. (*See separate story*)

The voting machine measure (SB 135) appropriates $114.5 million to buy new equipment. The House had previously passed it, and the Senate voted 31-1 in to concur with a House amendment that updated the fiscal year in the language.

"We've had machines that in many cases are 15 years old," sponsor Sen. Frank LaRose (R-Hudson) said. "Our county boards of elections and folks all throughout Ohio are very excited about the prospect that maybe sometime this winter or next spring there may be a truck showing up with new voting machines."

"It's time that we got this done," Sen. LaRose, the Republican nominee for secretary of state, continued. "This is something we've been talking about for a while."

Rep. Kathleen Clyde (D-Kent), the Democratic nominee for secretary of state, touted the passage in a statement.

"Ohio has been in desperate need of voting system upgrades to meet the elections cybersecurity challenges we face today and to modernize our aging machinery," she said. "I am happy to see our boards of elections finally getting the resources they deserve after years of state budget cuts to local government funds. I was happy to support this bipartisan bill and will continue to ensure our counties are prepared for every elections challenge."

The Lake Erie measure (SB 299) began as a way to identify and financially support projects to combat harmful algal blooms. Among other provisions, it appropriates $3.5 million in General Revenue Fund dollars to the Department of Agriculture for soil and water conservation districts and $20 million to the Soil and Water Phosphorus Program.

The measure became a vehicle for spending-related amendments in the House Finance Committee Tuesday, but it collected only a few changes, making it more of a "modest decorated wreath" than a true "Christmas tree bill," as explained Wednesday by sponsoring Sen. Randy Gardner (R-Bowling Green).

Those amendments included $7.1 million in disaster funding for 18 counties that sustained widespread flooding earlier this year. Other House-added items include $1 million to boost broadband expansion efforts and $1.5 million for the National Guard Scholarship. (See Gongwer Ohio Report, June 26, 2018)

It cleared the lower chamber in a unanimous vote after picking up an LSC technical amendment on the floor. The Senate then followed suit, approving the item 29-0.

Rep. Steven Arndt (R-Port Clinton), who sponsored companion legislation in the House, said the measure will go a long way toward reducing algal blooms in Lake Erie.

"This particular bill is really something that is extremely critical," he said.

Sen. Gardner called the bill a "classic example" of legislation in action given its bipartisan nature.

Both chambers accepted a conference report on a measure (SB 1[redacted]) to toughen penalties for fentanyl traffickers.

The House approved the conference committee report 59-10, with Rep. Nathan Manning (R-N. Ridgeville) calling it a "very small change" in that it shifts the burden of proof to the prosecution to show a defendant knew of a fentanyl-related compound in his or her possession.

In the Senate, the vote was 31-1, with Sen. Michael Skindell (D-Lakewood) the only member opposed.

Sen. Skindell said the proposal doesn't just target traffickers, but also affects drug users. He also voiced concerns with how the state considers an aggregate amount of fentanyl, even if a little bit of fentanyl is mixed with a much greater amount of another drug.

"It not only throws the drug traffickers in jail, it throws the small users in jail," he said.

Sen. LaRose, the measure's sponsor, said the user would need to have reason to know it contained fentanyl to be charged.

"We did what we could to make sure that we truly are ensnaring the traffickers and not the addicts," he said. "We rely on reasonable prosecutors. We rely on reasonable judges and juries to do the work that they do."

A proposal initially designed to eliminate the need for a special election when only one candidate is on the ballot (HB 18[redacted]) cleared the Senate unanimously but faced more opposition later in the evening when the House voted 67-22 to concur.

The dissent hinged on a provision added earlier in the day that allows some local elected officials to serve on the board of trustees of a convention and visitors' bureau. (*See committee listing*)

Rep. John Becker (R-Union Twp.) said the measure goes against an advisory opinion issued by the attorney general's office.

"The reason for that conflict is quite obvious," he said.

Rep. Dorothy Pelanda (R-Marysville) said if a conflict does exist, the public official can abstain from voting on a matter.

The bill also received opposition from Rep. Tom Brinkman (R-Cincinnati) who said in light of recent event, lawmakers should do all they can to avoid any hint of impropriety.

A measure (SB 66[redacted]) to provide judges with more discretion in criminal sentencing also cleared both chambers.

Rep. Nathan Manning (R-N. Ridgeville), who ushered the bill through the House Criminal Justice Committee, called the measure a smart on crime bill. He also touted several of the bill's provisions, including one that allows for expanded record sealing.

"This is something that will get people back to work," he said.

Before voting 84-2 to move the bill back to the upper chamber, an amendment offered by Rep. Bill Seitz (R-Cincinnati) was accepted to make it clear that the number of felonies that can be sealed is five with an unlimited number of misdemeanors.

Rep. Jay Edwards (R-Nelsonville) and Rep. Tim Schaffer (R-Lancaster) cast the lone "no" votes.

The Senate voted 29-0 to approve the issue, with Sen. John Eklund (R-Chardon) and Sen. Charleta B. Tavares (D-Columbus) both urging support.

Sen. Eklund specifically pointed out a change that prevents those who have more than five felonies from pursuing the sealing of records. Although it runs somewhat contrary to the Senate's effort, Sen. Eklund said the change such a person would pursue that round "is slim."

"Notwithstanding that, I certainly think the amendments are salutary...and we've come to something that will make Ohio a more just place to live," he said.

Sen. Tavares too said she believes "the integrity and the strength of the legislation remains. We are trying to do what's fair and what's right and we really believe rehabilitation should be taken seriously."

Legislation (HB 318) initially designed to deal with qualification for school resource officers picked up several changes during its journey through the legislature, including having a measure (SB 246) prohibiting expulsion and suspension of young students rolled into it while in the upper chamber.

"Suspending a six-year-old child does absolutely nothing to help them," Rep. Sarah LaTourette (R-Chagrin Falls).

It cleared the lower chamber in a 69-20 vote, with Rep. Ron Hood (R-Ashville) speaking in opposition.

"This did not get vetted in committee the way it properly needed," he said.

A bill to add prongs to the Joint Committee on Agency Rule Review process cleared the House in a 73-19 vote after Rep. Dan Ramos (R-Lorain) raised concerns that the changes could make the body more partisan.

"It is not a committee where partisanship has come in to play," he said.

Other items sent to the governor included legislation to:

- Allow restaurants to let patrons to have dogs on outdoor patios (HB 263).
- Regulate credit and debit card use by political subdivisions and make other changes to how finances are handled by local governments (HB 312).
- Create a six-month pilot program to reduce driver's license reinstatement fees (HB 336).
- Designate roads after first responders and military personnel killed in the line of duty (HB 347).
- Waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans (SB 81).
- Require drivers to move over when passing waste collection vehicles (SB 127).
- Provide a legal safe harbor for companies that enact cybersecurity protections (SB 220).
- Boost the Joint Committee on Agency Rule Review's authority to clamp down on informal rulemaking among executive agencies (SB 221).
- Create more transparency in regional councils of government (SB 239).

- Waive the concealed carry license fee for active members of the armed services and retired and honorably discharged veterans (SB 81).

- Create an enhanced penalty for distracted driving (HB 95).

- Overhaul the law relating to embalmers, crematory operators and cemeteries (HB 168).

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Legislation cited as "protecting" the religious beliefs of pastors and students, and a bill to limit charges from pharmacy benefit managers were among the slew of proposals receiving the House's stamp of approval during a marathon session Wednesday.

Also among the 31 measures passed in the first part of the session were a number of Senate bills that now advance to the desk of Gov. John Kasich thanks to Senate concurrence votes later in the day. The chamber also approved a conference committee report on a measure to boost penalties for drug trafficking and possession. (*See separate story*)

Regarding the religion-related legislation, both measures received substantial pushback from Democrats who contend they will open the door for discrimination.

The so-called Pastor Protection Act (HB 36) shields faith leaders, societies and others from civil repercussions should they refuse to solemnize marriage outside their beliefs. The plan picked up a floor amendment from Rep. Bill Seitz (R-Cincinnati) providing that in the event of a conflict between the bill and current public accommodations law, the legislation will take precedent.

Rep. Dan Ramos (D-Lorain) made a motion to lay the amendment on the table, which was turned back by Republicans. Rep. Janine Boyd (D-Cleveland Hts.) also moved to amend the item, but her motion was ruled out of order following the adoption of Rep. Seitz's change.

Sponsor Rep. Nino Vitale (R-Urbana) reiterated his belief the legislation does not target LGBTQ citizens. He painted it as an attempt to relieve the "tension" between contrasting beliefs and assure faith leaders existing protections under the Constitution will remain.

"This is not a sword," Rep. Vitale said. "This is intended to be a shield and protect everyone's rights."

But Rep. Boyd argued the legislation's scope is too broad in that it does not limit its provisions to religious groups or pastors.

"It is in essence saying that proprietors of property or services that rent to the public at large can turn away members of the LGBTQ community," she said, before the chamber endorsed the measure 59-29.

Similarly, the chamber voted 62-20 for a plan (HB 428) from Rep. Sarah LaTourette (R-Chagrin Falls) and Rep. Tim Ginter (R-Salem) that states students should be permitted to conduct religious expression and activities in schools in the same manner students may conduct secular activity or expression.

Rep. Kent Smith (D-Euclid) moved to amend the bill with language he said would label head coverings as permitted religious attire.

Rep. Ginter, however, voiced reservations, saying the change would open up "a pathway that is not the intention of this bill. There is no specificity in this bill toward any religion and that is purposeful." The GOP-dominated chamber as a whole agreed, turning away the proposed tweak 56-32.

Several Democrats spoke against the bill, including Rep. Ramos, who said the legislation is so broad it would permit shirts with messaging stating LGBTQ youth will go to hell or that Jesus is not real, or targeting specific faiths. To that, Rep. Ginter replied the school still has the authority to ban obscene or distracting clothing or activities.

Among other bills, the pharmacy legislation (HB 479) - from Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) - requires patients to be informed of affordable prescription options. And it limits PBMs, health plans or other administrators to charging no more than what an individual would pay for a drug were it purchased without coverage.

"For too long, PBMs have used predatory practices to target consumers and independent pharmacies," Rep. Lipps said. "I am proud Ohio is taking a lead role to end these deceiving practices, while improving transparency and lowering out-of-pocket drug costs."

Added Rep. West: "Today is a happy day here in Ohio because lower prescription drug prices are on their way."

Several pieces of legislation pertained to laws related to sexual activity, including proposals prohibiting sexting by persons under 19 years of age (HB 355) and the nonconsensual dissemination of private sexual images (HB 497) or "revenge porn." Those measures passed unanimously - 85-0 and 81-0 respectively.

So too did legislation (HB 92) requiring an offender who knowingly commits public indecency to be viewed by a minor for the purpose of sexual gratification to register as a Tier 1 sex offender if ordered by a judge (80-0).

Legislation (HB 511) establishing 18 as the age at which a person can marry was also approved with wide support (78-0). The proposal provides an exception for a 17-year-old

with the consent of a juvenile court if the other spouse-to-be is not more than four years older.

"We do not allow minors to vote, to buy cigarettes or alcohol, to rent cars or apartments or to enter into other contracts yet we allow them to (marry) - one of the most important and impactful decisions of their young lives," said Rep. Laura Lanese (R-Grove City), lead cosponsor along with Rep. John Rogers (D-Mentor-on-the-Lake).

Democrats also attempted to amend a plan (HB 502) from Rep. Marlene Anielski (R-Walton Hills) that requires educators to take in-service training on youth suicide prevention every two years. Rep. Catherine Ingram (D-Cincinnati) sought to expand the bill to cover charter schools but the amendment was tabled 44-39 before the bill advanced 82-0.

The chamber also approved legislation:

- Granting civil immunity to medical providers and emergency medical technicians operating after a disaster (HB 7).
- Prohibiting certain terms from appearing in health care contracts between vision care providers and a contracting entity and establishing new disclosure requirements (HB 156).
- Establishing a regional kinship care navigator program (HB 126).
- Licensing home inspectors via the proposed Home Inspector Board (HB 211).
- Designating the month of April as "Respect Your Date Month" and requiring higher education institutions to adopt a policy regarding dating and domestic violence (HB 240). The chamber approved an emergency clause 75-6.
- Including search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal (HB 349).
- Prohibiting consumer credit reporting agencies from charging a fee to freeze a consumer's credit report or to remove or temporarily lift a freeze (HB 386).
- Exempting police body camera and dashboard footage from public record laws under certain circumstances, such as if it depicts the identity of a child or the victim of a sex crime (HB 425).
- Authorizing a nonrefundable insurance company tax credit for contributing capital for transformational mixed use development construction (HB 469).
- Requiring the Department of Agriculture to regulate multi-parcel auctions (HB 480).

- Enacting a myriad of township changes including: increasing the obligations a board of township trustees may authorize its officers to incur, permitting a township to require reimbursement of emergency services levy revenue foregone because of the creation of a tax increment financing incentive district, and more (HB 500).

- Requiring the development and adoption of a new framework for teacher and administrator evaluations (HB 540).

- Permitting county prosecutors to enter into contract with regional airport authorities, port authorities or a regional planning commission as a legal adviser (HB 543).

- Requiring the Public Employees Retirement System Board to grant a full year of service credit to qualified members employed as nonteaching school employees of a county board of development disabilities (HB 572).

- Revising the probate process through various changes including disqualifying a person convicted of involuntary manslaughter from benefiting from the victim's death (HB 595).

Senate Passes Measures Focused On Reducing Regulations

A pair of legislative efforts to rein in regulations cleared the Senate Wednesday, with Republicans saying the proposals would make life easier for businesses.

Democrats said the two measures were arbitrary efforts to reduce agency rules that don't get at the issue of targeting unneeded regulations and could reduce important oversight.

One of the items (SB 293) cleared the Senate Transportation, Commerce and Workforce Committee earlier Wednesday after the panel replaced it with a substitute version to apply the regulation-cutting mandate more broadly across state departments, rather than to individual agencies. (*See committee listing*)

As a result of the changes, the legislation would require departments overall to cut regulations by 30%, sponsor Sen. Bob Peterson (R-Sabina) said. It would also create a website where individuals and businesses can report burdensome regulations to the Joint Committee on Agency Rule Review.

"We need to know how many restrictions we have, we need to systematically review them, and we need to revisit the rules that are unnecessary," Sen. Peterson said.

Majority Republicans tabled an amendment from Sen. Charleta B. Tavares (D-Columbus) that would have eliminated the 30% reduction requirement.

"This amendment calls for them to reduce restrictions without placing the arbitrary requirement," she said. "This amendment calls on state agencies to inventory what regulations exist."

Sen. Peterson said the amendment was unnecessary because JCARR can already grant departments exemptions for certain rules.

Lawmakers can also work to reduce regulations by avoiding situations where legislation leaves the details to be sorted out by agencies, said Sen. Lou Terhar (R-Cincinnati).

"The real issue here is how many things do we and our predecessors punt on and let it go to an agency rather than making a decision," he said.

Sometimes that's appropriate, said Sen. John Eklund (R-Chardon).

"Sometimes it's an acknowledgement or a willingness to acknowledge that there are experts in the administration of the government" with more expertise than lawmakers, he said.

The measure passed along party lines.

The other effort targeting regulations (SB 255) focused on occupational licensing. Sponsor Sen. Rob McColley (R-Napoleon) said it would create a process to review the state's occupational licensing requirements every five years.

"Frankly it's costing Ohioans the ability to earn a living and it's costing Ohioans the opportunity to contribute to our economy," he said of excessive licensing requirements.

Sen. Joe Schiavoni (D-Boardman) said lawmakers should consider issues with occupational licenses and fix them rather than creating a complicated process to routinely review the need for them.

Senate President Larry Obhof (R-Medina) said he thought the government has gotten "too big, too unwieldy."

"Too much of our authority has been usurped or given away over the years by legislators who thought it was easier to punt rulemaking authority," he said.

The measure passed 24-8.

The chamber unanimously passed a measure (SB 119), known as Daniel's Law, intended to ensure patients using naltrexone, a medication-assisted treatment also known as Vivitrol, can get an emergency dose from a pharmacy in certain emergency situations.

"When in a pinch, patients will have access to every pharmacy in the state of Ohio to act as a trampoline back into the system when the system fails," sponsor Sen. Bob Hackett (R-London) said.

Also advancing in the chamber were measures to:

- Provide a definition for an insurance rating agency (SB 273).
- Modify controlled substances laws with the Board of Pharmacy, including placing the list of controlled substances in rule rather than statute (SB 229).
- Urge Congress to support the creation of the Appalachian storage hub (SCR 21).
- Call on Congress to end certain mandates and emphasize the importance of federalism and the 10th Amendment (SCR 23), which passed 25-7.

Bills Amended To Enhance Online School Oversight Head To Governor

The House and Senate on Wednesday approved separate measures that were amended this week to include multiple e-school reforms and sent them to Gov. John Kasich for his signature.

While Rep. Keith Faber (R-Celina) and Rep. Bill Reineke (R-Tiffin) introduced legislation (HB 707) on the topic last week, lawmakers quickly sought alternative pathways to get some of its provisions passed sooner rather than later. The actions by the chambers achieve a goal set Speaker Ryan Smith (R-Bidwell) of pushing forward with legislation aimed at improving the state's online schools ahead of summer recess. (See Gongwer Ohio Report, June 25, 2018)

Sen. Peggy Lehner (R-Kettering), chairwoman of the Senate Education Committee said lawmakers from both chambers came to an agreement ahead of Wednesday's session that certain portions from the measure would be split among a bill (HB 87) under consideration in the Senate and another (SB 216) under consideration in the House.

"You really have to look at these two bills together," she said.

The original intent of HB 87 was to clarify that funding must be returned to local school districts when an audit of a charter school leads to a finding for recovery, while SB216 is an overhaul measure that makes dozens of changes to the state's K-12 education system.

The upper chamber passed HB 87 by a vote of 30-2 with Sen. Joe Schiavoni (D-Boardman) and Sen. Michael Skindell (D-Lakewood) voting in opposition. The House concurred in Senate amendments by a vote of 70-22.

The Senate Education Committee earlier in the day amended HB 87 to create a "safe harbor" for schools that grew by 20% from taking in former Electronic Classroom of Tomorrow students from certain accountability measures, including closure. The House Education & Career Readiness Committee on Tuesday accepted a similar amendment to SB 216 that set the threshold at for the threshold for the safe harbor at 10%. (See Gongwer Ohio Report, June 26, 2018)

Sen. Schiavoni said he cast his vote against the measure because the safe harbor provision could shield poorly performing schools from accountability.

"My concern is that by putting an amendment like this in the bill we might be creating another ECOT," he said.

Sen. Lehner said another amendment passed in the Senate committee clarifies that the safe harbor will not protect schools that would have faced closure before considering the performance of students taken in from the now-shuttered e-school.

"We are not excusing bad performance of any school," she said.

Sen. Lehner said another Senate amendment to HB 87 dealing with e-schools would require the superintendent of public instruction to set guidelines for activity-tracking software to be used by online charter schools.

Another amendment "would remove a significant conflict of interest" regarding the state auditor's office and payments by online schools, she said.

"Currently, amounts payable may be reduced according to policies determined both by the superintendent of public instruction and the auditor of state," she said. "This amendment will change the statute to require the (superintendent) to establish these policies in consultation with the (auditor) instead, so that the auditor is not put in a position to establish policies they may later audit."

Sen. Lehner said other amendments adopted by her committee that are not focused on e-schools would:

- Give school districts an additional year to put a substitute levy on the ballot.
- Clarify that only a superintendent or school board president can sign contracts and other employment documents related to the district's treasurer or his or her family members.
- Allow school districts and other public employers to "collectively contract for health clinic services."

The committee also adopted an amendment Sen. Randy Gardner (R-Bowling Green) said would prohibit the state from requiring local school boards to submit five-year

financial forecast before Nov. 30. The provision mirrors one added to SB 216 in committee Tuesday.

The House passed SB 216 by a vote of 60-32 after accepting two amendments. The Senate concurred in House amendments by a vote of 28-1 with Sen. Edna Brown (D-Toledo) in opposition.

Rep. Andy Brenner's (R-Powell) amendment required a study of school takeovers be sent to the Joint Education Oversight Committee for further review after its completion. The House accepted the amendment by a vote of 62-28.

A floor amendment offered by Rep. Jeff Rezabek (R-Clayton) and accepted by a vote of 61-28 stripped a provision from the law that would have revised the state's standard for what an "excessively absent" student is by excluding excused absences. Under existing law, a student is "excessively absent" when they miss 38 or more hours in a month or 65 or more hours in a year whether the absences were excused or not.

The House Education & Career Readiness Committee on Tuesday reported SB 216 along party lines after accepting several amendments, including one with multiple provisions aimed at e-school reform. The amendment was inspired by HB 707, which in turn took cues from recommendations offered by Auditor Dave Yost.

The amendment would require the superintendent of public instruction to craft recommended definitions for the state to adopt regarding e-school enrollment and participation and create a committee to study the potential of student-performance, among other provisions.

Sen. Lehner said she views the creation of the committee as one of the most important provisions in the two pieces of legislation.

"The study committee is the most important part of that because that's going to (lead to) more substantive long-term reforms than some of the more minor (provisions)," she said.

Rep. Teresa Fedor (D-Toledo) said the online school provisions the committee added to SB 216 need more vetting, but were being rushed into law to provide "political cover" for Republicans in the wake of the closure of the ECOT. After ECOT shut its doors in January, Auditor Yost referred his office's audit of the school for potential prosecution. (See Gongwer Ohio Report, May 10, 2018)

"I'm sorry to say this bill has been hijacked," she said.

She was gaveled out of order by Speaker Smith when she likened ECOT's funding, which is the subject of clawback efforts by the state, to an ATM for Republican campaign committees.

The panel and later the full Senate rejected an amendment offered by Sen. Schiavoni that would have set additional guidelines for e-schools. He said the change would have

required an in-person parent teacher conference to be scheduled if a student doesn't log in for 10 days and the addition of disclaimers on e-school advertisements noting if they were paid for with public money and what grades the school had received from the state, among other changes.

"We have to have additional accountability and transparency," he said.

Sen. Lehner opposed the amendment but said she agreed with Sen. Schiavoni that the state's work on updating standards for online schools is not done.

The Senate also tabled an amendment offered by Sen. Schiavoni that would have extended eased graduation requirements put in place for the class of 2018 for the next two school years. The House Education & Career Readiness Committee rejected an amendment with the same effect offered by Rep. Tavia Galonski (D-Akron) Tuesday.

Before passing SB 216, the House tabled an amendment offered by Rep. Galonski that would have appointed a special investigator in the ECOT case.

Rep. Brenner said he viewed the amendment as premature because ECOT still has an appeal before the Ohio Supreme Court related to purported overpayments the State Board of Education voted to claw back from the school, leading to its closure.

Democrats later ripped majority Republicans for refusing to add additional accountability provisions to the bill, saying it gives a "free pass to Ohio's out-of-control charter schools" and elected officials.

"This is a politically motivated bill to give the same GOP politicians who used ECOT and charter school sponsors to bankroll their campaigns a free pass on taking responsibility for the mess they created," Rep. Galonski said.

Sen. Matt Huffman (R-Lima), SB 216's primary sponsor, said crafting and passing the substantial bill involved a lot of give and take among lawmakers and interested parties.

He listed the House's changes, saying he did not agree with all of them but that the bill retains the goal that superintendents had when they suggested the package to him several months ago - that is, eliminating unnecessary and burdensome regulations.

"This is a product of about 15 months-worth of work with a lot of good things in it," he said.

State Auditor Dave Yost issued a statement Wednesday evening welcoming passage of the measures.

"The legislation approved by the General Assembly today addresses some of the weaknesses my office has pointed out for years that limited the state's ability to demand full accountability from online schools and operators," he said. "While we were not

successful in gaining passage of all reforms we believe are needed, these changes will make a significant difference."

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

A Senate committee Wednesday held off on a potential vote on controversial legislation to lower the renewable and energy efficiency standards, with lead negotiators telling interested parties they are "very close" to a final product.

The closely-watched measure (HB 114) was scheduled for its eighth hearing before the Senate Energy & Natural Resources and marked for possible amendments and a vote.

But the proposal was ultimately not heard, with Chairman Sen. Troy Balderson (R-Zanesville) and Sen. Bill Beagle (R-Tipp City) instead briefing stakeholders in attendance of their progress on the bill and promising "the bill's not dead."

"It's closer (to passing) than it's been for a while," Chairman Sen. Troy Balderson (R-Zanesville) said in an interview.

The measure began as a House effort to render the standards voluntary and expand the mercantile opt-out. That followed Gov. John Kasich's 2016 veto of a similar, but less far-reaching measure (HB554, 131st General Assembly).

Senators in May then accepted a substitute version that restored the mandatory nature of the standards, although it still lowers the renewable standards to 8.5% by 2022 instead of current law's 12.5% by 2026 and the efficiency standards to 17.2% by 2026 instead of the current 22.2% by 2027. It also loosens wind setback restrictions that advocates accused of stifling the industry - a prospect House leaders have expressed reluctant to accept in the past. (See Gongwer Ohio Report, May 16, 2018)

More changes are likely, as the lawmakers court support within their caucus and among stakeholders. Sen. Beagle said they're still sorting through feedback following the most recent changes - including those related to the mercantile opt-out, the wind setbacks and energy efficiency benchmarks.

"At this point, anytime you amend something everything's kind of tight so if we move a little bit here we need to understand what the ramifications are over there and that's just taking time," Sen. Beagle said. "We want to make sure we get this right. It's been an issue we've been talking about for a long time and it's been in the chamber a while. We'd rather take some time to make sure we get the best bill we can before we send it over to the House."

Sen. Balderson said talks continue with the Kasich administration over the renewable standards proposed by the current bill.

"The administration is aware of our number," he said. "While they are not satisfied with it, we continue to have positive discussions on a number of other areas we can all agree upon."

A Kasich spokesman declined to comment on the pending legislation.

At the same time, both said they haven't gone out of their way to keep their House counterparts in the loop on discussions. Although the legislation in its current form is likely to face a steeper climb in the lower chamber, the senators said their principal concern is mustering up enough support within their own caucus.

"We're really kind of focused on making sure we have enough votes in the Senate," Sen. Beagle said. "We're really focused on getting a product we can get out hopefully on a bipartisan basis and that's tough enough."

Added Sen. Balderson: "Once we have our numbers here that we need in the Senate, then we'll focus on the House. They're aware...so there's no reason for (Sen. Beagle) and I to be sitting down in front of them."

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

Nearly a year removed from a thrill ride breakdown at the Ohio State Fair that killed 18-year-old Tyler Jarrell and injured several others, the House took up legislation to tighten regulation of inspections overseen by the Department of Agriculture.

Sponsored by Rep. John Patterson (D-Jefferson) and Rep. Jim Hughes (R-Columbus), the measure would revise current safety inspection standards, define the qualifications for inspectors, and require owners to maintain current records for all their amusement rides.

Rep. Patterson told members of the House Agriculture & Rural Development Committee that the measure, while inspired by the tragedy, is about looking ahead "to better ensure the safety of Ohioans for years to come by revisiting current legislation to provide a more robust approach to ride safety and inspection."

The sponsors pointed out that while the rides have become more prevalent, diverse and complicated over the years, the number of Ohio inspectors has remained fairly constant.

Rep. Hughes said the bill focuses on ride inspections in two ways.

"First, it expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, it requires a minimum number of inspectors be assigned to inspect a ride, ensuring that number is reasonable and adequate given the size, complexity, and nature of the ride," he said. "Second, it requires the Director to adopt the standards of the American Society for Testing and Materials, or any other equivalent standards, in whole. Current law does not require the Director to adopt these standards, neither in whole or part."

The measure also addresses the qualifications for newly hired inspectors, Rep. Hughes said. "The bill requires the Director, when employing a new Chief Inspector or an additional amusement ride inspector, to give preference to individuals who are registered professional engineers. If no registered professional engineer seeks employment as an inspector, the Director must give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials."

Those restrictions would be forward-looking and not impact those currently employed as inspectors, he said.

The bill would retain the current law requirement that the ODA director provide necessary training for inspectors to administer and enforce the laws governing amusement ride safety. "Similarly, the bill still allows the director to appoint or contract other persons to perform inspections of amusement rides, provided that they meet the qualifications for inspectors and are not owners, or employees of any amusement ride subject to inspection," Rep. Hughes said.

The record-keeping mandates in the bill would apply to electronic manuals for each amusement ride that is inspected in Ohio, if available, and the ODA director may require the owner to also include "detailed written descriptions or photographs of all maintenance, repairs, and inspections in the record," Mr. Hughes said.

"Finally, HB631 prohibits ride owners from knowingly failing to keep a record or knowingly failing to make records available to the Department or ride inspector, and it imposes a fine of $100 to $500 for a violation of the prohibition. While current law requires an owner to keep records and make them available for inspection, it does not establish a specific penalty for failure to do so," he concluded.

Asked about the extent of the potential fines, Rep. Patterson said they could apply to every ride that's out of compliance or it could depend on the circumstances. He said the sponsors wanted to leave some discretion for ODA to develop more specific guidelines under the bill.

"We don't want the money," Rep. Hughes added. "We want them to be safe."

Rep. Kyle Koehler (R-Springfield) questioned whether the provisions would have prevented last year's failure of the Fire Ball ride.

"It definitely would have helped the situation, but what we're trying to do is prevent another occurrence of this in the future," Mr. Patterson said.

The sponsor told Rep. James Hoops (R-Napoleon) that the requirements would apply to all rides operated in the state, including those at county fairs and other events.

Chairman Rep. Brian Hill (R-Zanesville) raised the issue of funding for additional inspection duties and also noted that a review of the incident did not result in any punitive actions against state inspectors.

Rep. Jack Cera (D-Bellaire) said consideration must be given to ODA's budget if the bill is enacted.

Mr. Hughes said there have been communications with the agency regarding the proposals and further meetings with the agency are planned.

ODA spokesman Mark Bruce said the agency typically doesn't comment on pending legislation.

"The department has had discussions about possible ways to strengthen Ohio's already robust amusement ride safety program," he said in an email.

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Organized labor was dealt a major blow Wednesday by the U.S. Supreme Court.

In a highly anticipated decision, the court in a 5-4 ruling held that non-union workers cannot be forced to pay fees to public sector unions.

Writing for the majority, Justice Samuel Alito found the requirement that non-union employees pay "agency fees" to the collective bargaining unit runs afoul of free speech protections.

"This procedure violates the First Amendment and cannot continue," Justice Alito wrote. "Neither an agency fee nor any other payment to the union may be deducted from a nonmember's wages, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay. By agreeing to pay, nonmembers are waiving their First Amendment rights, and such a waiver cannot be presumed."

He was joined in his opinion by Chief Justice John Roberts, Justice Clarence Thomas, Justice Neil Gorsuch and Justice Anthony Kennedy, considered the swing vote on the court and who announced his retirement Wednesday.

The decision overturns a 1977 high court ruling that upheld the practice as constitutional.

"We recognize that the loss of payments from nonmembers may cause unions to experience unpleasant transition costs in the short term, and may require unions to make adjustments in order to attract and retain members. But we must weigh these disadvantages against the considerable windfall that unions have received under *Abood* for the past 41 years," Justice Alito wrote.

"It is hard to estimate how many billions of dollars have been taken from nonmembers and transferred to public-sector unions in violation of the First Amendment. Those unconstitutional exactions cannot be allowed to continue indefinitely."

Statements for and against the decision poured in swiftly.

Ohio Republicans were largely silent on the ruling. However, the Buckeye Institute cheered the decision.

"The Supreme Court today in *Janus v. AFSCME* announced its basic rule of human decency and common sense: consent matters - and hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent," President and CEO Robert Alt said in a statement.

The American Legislative Exchange Council also hailed the ruling.

"Today's Janus decision overturns a precedent set 41 years ago. This will allow workers to keep their pay, they will no longer be forced to pay fees that support a union's collective bargaining efforts and administrative work," said Robert Ordway, Director of the Commerce, Insurance and Economic Development Task Force at ALEC.

The court's liberal justices dissented in the decision, with Justice Elena Kagan writing that the majority's holding will lead to "a collective action problem of nightmarish proportions."

Among the repercussions of the decision, she predicted that it will lead to a decline in public sector unionization.

"Everyone - not just those who oppose the union, but also those who back it - has an economic incentive to withhold dues; only altruism or loyalty - as against financial self-interest - can explain why an employee would pay the union for its services," she wrote in a dissent joined by Justice Ruth Bader Ginsburg, Justice Stephen Breyer and Justice Sonia Sotomayor.

She also accused the majority of "weaponizing the First Amendment, in a way that unleashes judges, now and in the future, to intervene in economic and regulatory policy."

Several Democratic lawmakers blasted the decision in statements, as did unions. Jay McDonald, president of the Ohio Fraternal Order of Police, said the group is "confident that our membership understands the value of belonging to the FOP and we will continue to work hard to keep their trust."

Ohio AFL-CIO President Tim Burga said "billionaires and corporate special interests that have manipulated our system of justice have succeeded in getting the highest court in the land to do their bidding."

The Ohio Federation of Teachers and the Ohio Education Association also spoke out. OFT President Melissa Cropper said the decision will lead to greater activism among her members.

"This decision today is a momentary triumph for the wealthy special interests who backed this lawsuit," she said. "But the voices of working people will not go unheard. And unions, such as ours, remain the best way to make sure decision-makers - at work or in the halls of government - are listening."

The Ohio Civil Service Employees Association said the decision "will only further rig the economy in favor of the wealthy and corporate interests."

OAPSE Executive Director Joe Rugola called the decision political.

"Justice Alito even says in his opinion that unions are powerful and get things done for our members," he said. "That's what the anti-union forces are afraid of: that our collective voice on behalf of workers will mean better pay and benefits for working people."

Kennedy Retirement: Justice Kennedy announced his retirement Wednesday, paving the way for Republicans to move the court in a decidedly rightward direction, a fact that was not overlooked by many, including Ohio Right to Life, which predicted the overturning of *Roe v. Wade*.

"Moments like these are why pro-life Americans elected President Donald Trump," President Mike Gonidakis said. "He has the historic opportunity to add a justice who will serve as the fifth pro-life vote on the court. Ohio Right to Life's goal has always been to overturn *Roe v. Wade* and to see the end of abortion, which has killed 60 million American children in the last 45 years."

NARAL Pro-Choice Ohio Executive Director Kellie Copeland expressed concern that the next right-leaning appointee would be in a position to overturn the "constitutional right to access abortion."

"Americans have had their rights stripped away by the US Supreme Court, thanks in part to a stolen seat that should have been filled by President Barack Obama," she said. "Women, union members, and immigrants all were harmed by decisions handed down just this week. We need a court that protects and respects rights, not one that pushes the political agenda of Donald Trump, Mike Pence and their ultra conservative cronies."

U.S. Rep. Bill Johnson (R-Marietta) encouraged his upper chamber colleagues to act quickly on filling the court opening.

"I encourage President Trump to nominate a qualified jurist from the list of potential Supreme Court judges he unveiled during his presidential campaign - someone who will interpret the Constitution as written, rather than legislating from the bench," he said.

"Whoever ends up filling this vacancy will play a major role in the future of the high court."

Justice Kennedy plans to step down at the end of July, and U.S. Senate Majority Leader Mitch McConnell (R-KY) said he plans to hold a vote on a replacement this fall.

The White House in a statement provided no timeline on choosing the justice's successor and instead focused on his service.

"A Californian - like the president who appointed him - Justice Kennedy is a true man of letters," the statement read. "During his tenure on the court, he authored landmark opinions in every significant area of constitutional law, most notably on equal protection under the law, the separation of powers, and the First Amendment's guarantees of freedom of speech and religion."

Chairman: Senate Looking For Balance With Payday Lending Measure

Two weeks in the Senate wasn't enough time to resolve the complex issues surrounding payday lending law revisions, and interested parties will keep talking on a compromise, a key lawmaker guiding the process said Wednesday.

Sen. Scott Oelslager (R-N. Canton) made the comments following a meeting of the Senate Finance Committee, which he chairs. The panel heard some additional testimony before a surprise attempt by the ranking minority member to move it forward.

The chairman previous said he didn't intend to take any amendments or call a vote on the proposal (HB 123) this week, but Sen. Michael Skindell (D-Lakewood) made a motion to report the measure before the meeting could be adjourned.

After committee members were called back from other meetings, majority Republicans voted on party lines to table Sen. Skindell's motion.

Sen. Oelslager said he and many members of the committee are still unsure what direction they would like to see the bill go, whether that entails the way it's written, or with some or all of the recommendations made by Sen. Matt Huffman (R-Lima). (See Gongwer Ohio Report, June 26, 2018)

"We also want to make sure that the interested parties have a chance to keep talking," he said after the meeting. "It's a very complicated issue. We want to make sure there's a balance between the person offering the loan and the person taking out the loan."

Sen. Skindell's move came after Nick Bourke, director of consumer finance for the Pew Charitable Trusts, asked senators to advance the proposal as written.

"I urge this committee to take a vote," he said. "Vote on HB123 as passed by the House. Or make a few sensible amendments to HB123 as we've discussed and vote on that. Even if it fails, we will know where this process stands."

Mr. Bourke, who has testified several times on the measure, told the committee they have three options in front of them: an overhaul of regulations such as HB123, the complete elimination of high-interest lending, and the status quo.

The proposals from Sen. Huffman, he said, would preserve the status quo.

"It is not reform because it does not solve the problems for consumers and it would cost the small number of payday lenders who enjoy the status quo today virtually nothing," he said.

Sen. Oelslager asked if the proposal is worse than the current law for lenders, and Mr. Bourke said it would have no change.

Mr. Bourke also said lawmakers could propose to ban high-interest loans entirely.

Sen. Bill Coley (R-Liberty Twp.) said the 2008 regulation constituted an attempt to ban high-interest loans.

"Ten years ago, when the legislature and then the voters of Ohio dealt with the legislation, that was a ban bill in the state of Ohio," he said. "Is the House-passed version of HB123 a ban bill?"

Mr. Bourke said it's a reform effort and would still allow companies to operate.

"I've spoken with companies that used to operate in Ohio before 2008 that left Ohio because they did not want to operate in a loophole," he said.

The panel also heard from Ashish Gandhi, owner of Cash Plus Silverton, who praised Sen. Huffman's plan.

"I believe that Senator Huffman's plan was very well thought out and mathematically intelligent," he wrote. "He was magically able to give all sides what they were asking for. His plan lowers the APR that critics insisted on. His plan lowers the daily cost of a loan to less than a cheap cup of coffee at a gas station. His plan allows for a plethora of options for both consumers and businesses."

The original version of the legislation is "extreme, poorly written and not workable," he said.

Sen. Huffman's plan is not exactly what the industry would have wanted, but would allow businesses to stay in place, he said.

Prosecutors Praise Beefed Up Parole Monitoring Bill

A bill to revise parole monitoring procedures has the potential to save lives, members of a Senate panel were told Wednesday.

The legislation (SB 202) is named after Reagan Tokes, who was murdered by Brian Golsby shortly after his release from prison.

Lou Tobin, executive director of the Ohio Prosecuting Attorneys Association, said the legislation "will fill the gaps in the way the state manages offenders who are released from prison."

Among the bill's provisions, it would create reentry programs to ensure that those released from prison are not homeless and require restrictions to be placed on those who are on post-release control and fitted with GPS monitoring devices.

It would also require the state to create a database of GPS data that would be available to law enforcement officials when investigating crimes. Another portion of the legislation would focus on ensuring parole officer caseloads are not too large.

"Brian Golsby was released into homelessness and with a GPS monitor that did not establish zones within which he was allowed to move," Mr. Tobin told members of the Senate Government Oversight & Reform Committee. "It was subsequently discovered he committed at least six violent robberies, prior to his encounter with Reagan, all while being 'monitored.' The state must do more to address the circumstances that led to this."

William Parker of the American Court & Drug Testing Services said GPS monitors are essentially useless without guidelines and restrictions.

"GPS technology can do much, much more than simply provide the current location of someone wearing the ankle bracelet. Using easily programmable curfews, inclusion and exclusion zones and daily schedules, the technology can alert us immediately if the defendant is not where they are supposed to be when they are supposed to be there," he said.

"The technology can alert us immediately if the defendant moves into a neighborhood where his or her presence represents a threat to a person or community. It can notify us immediately if the defendant removes the bracelet or fails to charge the bracelet. But, the effective use of this technology requires more than satellites, cellular signals and computer applications."

Phyllis Carlson-Riehm of the ACTION OHIO Coalition For Battered Women also provided written testimony in support of the measure.

"We all know that Ohio's prisons are full to overflowing and the costs are enormous," she wrote. "We all know that prison reforms are long overdue to reduce the number of non-violent inmates and move them into meaningful community corrections programs and rehabilitated lives.

"But at the same time we must not fail to strengthen Ohio laws to hold violent repeat felons responsible for the multiple crimes that they commit and stop the needless human tragedies that are happening to many Ohio families."

Companion legislation (HB 365) - that also deals with indeterminate sentencing - cleared the House earlier this month. (See Gongwer Ohio Report, June 20, 2018)

Senate Releases Session Calendar

The Senate could hold full sessions as many as 14 days during the second half of the year, according to a schedule released by Senate President Larry Obhof (R-Medina) on Wednesday.

The calendar sets if-needed sessions for July 10 and August 22. Three potential session dates are set for September.

Nine possible dates are scheduled for November and December, which would represent the chamber's post-election session.

The House has yet to release its schedule for July through December.

All session dates are available in Gongwer's full legislative schedule, where the meetings can be synced with Outlook calendars.

Governor's Appointments

Opportunities for Ohioans with Disabilities Council: Kimberly S. Monachino of Twinsburg for a term beginning June 27, 2018, and ending June 1, 2019 and Margie Hegg of Upper Arlington for a term beginning June 27, 2018, and ending June 1, 2020.

Supplemental Agency Calendar

Thursday, June 28

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Supplemental Event Planner

Friday, August 3

Sen. Sandra Williams **(D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., ($200 (table); $20 (friend) to Friends of Sandra Williams)**

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

Click the after a bill number to create a saved search and email alert for that bill.

© 2018, Gongwer News Service, Inc. Reproduction of this publication in whole or in part without the express permission of the publisher is in violation of the federal Copyright Law (17 USC 101 et seq.) as is retransmission by facsimile or any other electronic means, including electronic mail.

House Activity for Wednesday, June 27, 2018

PASSED

SB 66 **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.
84-2 (Edwards, Schaffer) (Amended)
Gongwer Coverage

SB 81 **FIREARMS** (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at $1.5 million.
76-6
Gongwer Coverage

SB 127 **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.
84-0
Gongwer Coverage

SB 216 **SCHOOL REGULATIONS** (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.
60-32 (Amended)
Gongwer Coverage

SB 220 **CYBERSECURITY** (Hackett, B., Bacon, K.) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.
62-21 (Earlier REPORTED-AMENDED)
Gongwer Coverage

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof.
73-19 (Earlier REPORTED-AMENDED)
Gongwer Coverage

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."
88-0
Gongwer Coverage

SB 299 **WATER IMPROVEMENTS** (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments

over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.
88-0 (Amended)
Gongwer Coverage

HB 7 **MEDICAL PROVIDER IMMUNITY** (Cupp, R.) To grant qualified civil immunity to certain medical providers and emergency medical technicians who provide emergency medical services as a result of a disaster and through its duration; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to permit access to peer review committee documents during authorized inspections by the Director of Health while preserving their confidentiality; and to clarify the definition of "medical claim."
71-16
Gongwer Coverage

HB 36 **MARRIAGE CEREMONIES** (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial.
59-29 (Amended)
Gongwer Coverage

HB 92 **PUBLIC INDECENCY** (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and for the

purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender if the judge orders registration.
80-0
Gongwer Coverage

HB 126 **KINSHIP CAREGIVERS** (Boyd, J., Rezabek, J.) To require a region-based kinship care navigator program, and to make an appropriation.
82-0
Gongwer Coverage

HB 156 **VISION CARE INSURANCE** (Schuring, K.) Regarding limitations imposed by health insurers on vision care services.
75-2 (Hambley & Romanchuk)
Gongwer Coverage

HB 211 **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors,to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors, and to require realtors who recommend home inspectors to provide a list of home inspectors
74-6
Gongwer Coverage

HB 240 **MONTH DESIGNATION** (Barnes, J.) To enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency.
Bill: 77-0; Emergency: 75-6
Gongwer Coverage

HB 349 **POLICE ANIMALS** (LaTourette, S.) To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal.
69-11
Gongwer Coverage

HB 355 **SEXTING** (Hill, B., Rezabek, J.) To generally prohibit sexting by a person under 19 years of age.

85-0
Gongwer Coverage

HB 386 **CREDIT FREEZES** (Henne, M., Kelly, B.) To modify the fees that a credit reporting agency can charge in relation to a credit report freeze.
82-2
Gongwer Coverage

HB 425 **BODY CAMERAS** (Antani, N., Craig, H.) To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.
88-0
Gongwer Coverage

HB 428 **STUDENT EXPRESSION** (Ginter, T., LaTourette, S.) Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018."
62-20
Gongwer Coverage

HB 469 **TAX CREDIT** (Schuring, K., Patton, T.) To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects.
78-0
Gongwer Coverage

HB 479 **DRUG PRICE INFORMATION** (Lipps, S., West, T.) Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.
75-0
Gongwer Coverage

HB 480 **MULTI-PARCEL AUCTIONS** (Hill, B.) To establish requirements governing multi-parcel auctions.
72-0
Gongwer Coverage

HB 497 **PRIVATE IMAGES** (Rogers, J., Manning, N.) To prohibit the nonconsensual dissemination of private sexual images, to require that certain property involved in the offense be criminally forfeited, and to create certain legal rights and protections of a victim of the offense.
81-0
Gongwer Coverage

HB 500 **TOWNSHIP LAWS** (Carfagna, R.) To make various changes to township law.
81-0
Gongwer Coverage

HB 502 **YOUTH SUICIDE** (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in public schools.
82-0
Gongwer Coverage

HB 511 **MARRIAGE AGE** (Lanese, L., Rogers, J.) To make changes to the laws governing the ages at which persons may marry.
78-0
Gongwer Coverage

HB 540 **TEACHER EVALUATIONS** (Gavarone, T., Manning, N.) With regard to teacher evaluations.
84-0
Gongwer Coverage

HB 543 **COUNTY PROSECUTORS** (Perales, R., Hambley, S.) To allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser.
79-0
Gongwer Coverage

HB 572 **RETIREMENT CREDIT** (Scherer, G., Howse, S.) Regarding Public Employees Retirement System service credit for services as a nonteaching school employee of a county board of developmental disabilities.

80-0
Gongwer Coverage

HB 595 **PROBATE LAW** (**Cupp, R.**, **Rezabek, J.**) Relative to procedures for a testator to file a declaratory judgment action to declare the validity of a will prior to death and the settlor of a trust to file such an action to declare its validity, exceptions to antilapse provisions in class gifts in wills and trusts, incorporation of a written trust into a will, trusts for a minor, arbitration of trust disputes, the creation of county and multicounty guardianship services boards, the coroner's disposition of person dying of suspicious or unusual death, an application for the release of medical records and medical billing records, and adding involuntary manslaughter not resulting from a felony vehicular homicide offense to the list of offenses excluding an individual from inheriting from a decedent.
78-0
Gongwer Coverage

HOUSE CONCURS IN SENATE AMENDMENTS

HB 18 **SPECIAL ELECTIONS** (**Pelanda, D.**, **Retherford, W.**) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.
67-22
Gongwer Coverage

HB 87 **COMMUNITY SCHOOLS** (**Roegner, K.**) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint

health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.
70-22
Gongwer Coverage

HB 263 **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.
79-10
Gongwer Coverage

HB 312 **POLITICAL SUBDIVISION SPENDING** (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.
91-0
Gongwer Coverage

HB 318 **SCHOOL RESOURCE OFFICERS** (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers, to require the Facilities Construction Commission to study and report on school building security upgrades and to make an appropriation.
69-20
Gongwer Coverage

HB 336 **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.
84-6
Gongwer Coverage

HB 347 **ROAD NAMING** (Kelly, B., Dever, J.) To designate multiple memorial highways.
91-0
Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 **DRUG OFFENSES** (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.
59-10
Gongwer Coverage

HOUSE SPEAKER'S APPOINTMENTS

Community & Family Advancement Committee: Remove Rep. Brinkman, appoint Rep. Greenspan

COMMITTEE HEARINGS

Agriculture & Rural Development

HB 560 **PET FOOD** (Lanese, L.) To prohibit pet food from containing remains from an animal that was euthanized by the use of any drug injected intravenously or through another nonvascular route or remains from any dog or cat. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Laura Lanese (R-Grove City) said her measure "will provide pet owners some assurance that their pet food does not contain the remains of other cats and dogs and that it does not contain pentobarbital, the drug used to euthanize cats and dogs."

The sponsor referred to news stories in recent years about tainted pet food and noted the FDA had recalled products after pentobarbital, which is used be veterinarians to euthanize cats, dogs and horses, was found in the samples from an Ohio-based pet food company.

Rep. Lanese said current state law doesn't sufficiently cover the products that rendering plants sell to pet food manufacturers. "Under current Ohio law, a commercial feed is adulterated if it bears or contains any poisonous or deleterious substance that may render it injurious to animal or human health, except that when the substance is not an added

substance. Since the drug is not added during processing, the feed may not be considered an added substance and therefore permissible," she said.

"Most pet owners do not want to feed their family dog or cat the remains of other dogs and cats. Even if a consumer actively tries to make an informed decision by reading the label, terms like animal meal and meat meal make it hard to decipher what exactly is in our pet's food," the sponsor said. "Guardrails to ensure that our pets are not eating other pets and ingesting euthanasia drugs is one small token we can offer consumers, especially since pet food companies are denying they are part of the pet food they sell."

Responding to a question from **Rep. Michael Sheehy** (D-Oregon), the sponsor said there are federal regulations regarding pet food content but the lack of any legal actions underscore the need for Ohio to take action and tighten its oversight.

Several members had questions about testing for the drug, and Rep. Lanese told **Rep. Darrell Kick** (R-Loudonville) that imposing such costs on rendering plants would likely lead to extensive pushback.

She told Rep. John Patterson (D-Jefferson) she was unsure how many rendering plants existed in the state. "There's very little oversight of this industry," she said, adding the bill would only apply to Ohio plants.

Rep. Keith Faber (R-Celina) said he applauded the concept of the bill but questioned whether the oversight should be left to the free market, such as pet food makers putting testing labels on their products.

HB 631 **AMUSEMENT RIDES** (**Hughes, J.**, **Patterson, J.**) To revise the laws governing amusement ride operation and safety, to designate this act as "Tyler's Law," and to declare an emergency. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

Insurance

HB 621 **DEATH BENEFITS** (**Hughes, J.**) To revise the payments that surviving family members receive from the Ohio Public Safety Officers Death Benefit Fund and to permit surviving spouses and children to participate in the health, dental, and vision benefits offered to state employees as if the survivors were employees of this state. (**CONTINUED (No testimony)**; 3rd Hearing-Opponent)

Chair **Rep. Tom Brinkman** (R-Cincinnati) said the committee received a **fiscal note** detailing the bill's estimated costs. He said an amendment is being drafted in regard to a similar bill pending in the Senate.

SB 227 **HEALTH PLAN CLAIMS** (**Huffman, M.**) To require health plan issuers to release certain claim information to group plan policyholders. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Matt Huffman (R-Lima) said the bill would give employers more information about claims made under their health insurance coverage while protecting information that details which individuals and dependents are receiving care.

That information will give small employers more data they can use to shop for coverage from insurers, he said. Without that information, small businesses are often left to renew coverage and accept rate increases proposed by insurers.
Claims information that would be shared with employers wouldn't include any personal information, and he said the release of that redacted data isn't prohibited by federal law.
The result would spur more competition in the insurance market, potentially leading to lower prices, he said.
Rep. Wes Retherford (R-Hamilton) asked if there would be any cases where the release of information could be denied.
Mr. Huffman said the bill directs the release of non-identifiable claims information about all people covered under a company's policy.
Rep. George Lang (R-West Chester) said his initial reaction to the proposal is that if an employer is paying an insurance bill, it should have access to claims information.
Responding to **Rep. Michael Henne** (R-Clayton), Sen. Huffman said the bill is targeted to employers with between 50 and 100 employees, and indicated that leaders of smaller companies might already be aware of health conditions that their employees have.
Rep. Glenn Holmes (R-McDonald) questioned whether the sponsor would be willing to consider redacting pharmaceutical information, indicating that having knowledge of drug use could create ethical issues for those who make decisions about employee coverage.

Government Accountability & Oversight

SB 220 **CYBERSECURITY** (**Hackett, B.**, **Bacon, K.**) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program. (**REPORTED-AMENDED (No testimony)**; 3rd Hearing-All testimony-Possible amendments & vote)

An amendment offered by **Rep. Kathleen Clyde** (D-Kent) to replace the phrase "reasonable compliance" with "actual compliance" was tabled in an 8-2 vote, with **Rep. Bernadine Kent** (D-Columbus) joining all the Republicans present in the vote, as she would do throughout the committee meeting after recently being exiled from the House Democratic Caucus.
In explaining her motion to table, **Rep. Dorothy Pelanda** (D-Marysville) said actual compliance could be a difficult bar for small businesses to clear.
"Reasonable compliance was arrived at after several interested party meetings and discussions with those people," she said.
Another failed amendment proposed by Rep. Clyde would have allowed a person whose private information is compromised to request the attorney general's office bring legal action. If it does not, the person would be able to bring legal action on behalf of the state and split the recovery.
An amendment offered by **Rep. Bill Seitz** (R-Cincinnati) that would allow owners of casinos with less than a 5% stake to avoid licensing requirements was added to the bill. He said the current law that requires licensing for anyone owning as little as 1% is unworkable for a publicly traded company.
Rep. Clyde questioned how the amendment does not run afoul of the single-subject rule.
Rep. Seitz responded the subject matter of the bill is commerce.
"I can't see anybody filing a lawsuit over this because it is simply common sense," he said.

An amendment offered by chairman Rep. Lou Blessing (R-Cincinnati) pertaining to blockchain technology e-signatures was also attached to the measure.

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof. (**REPORTED-AMENDED (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

A clarifying amendment offered by Rep. Blessing to make the language in the measure more consistent with the rest of the section was accepted without objection.

Two Democratic amendments - both offered by **Rep. Brigid Kelly** (D-Cincinnati) - were tabled.

The first would have removed language allowing a business to challenge an agency rule based on adverse impact. Rep. Kelly called the language "overly broad."

"I think the main thrust is really to just avoid harming business," Rep. Blessing said.

The other would have removed language allowing a business to contest a rule outside of the regular review period.

SB 263 **NOTARY PUBLIC** (Huffman, M., Wilson, S.) To enact the Notary Public Modernization Act. (**CONTINUED (No testimony)**; 3rd Hearing-All testimony)

Subscribers Note: For full testimony see the **committee's website** under June 26.

Health

HB 167 **OPIOID MEDICATIONS** (Edwards, J.) Regarding addiction treatment and opioid prescribing by physicians and dentists. (**REPORTED**; 3rd Hearing-All testimony-Possible vote)

The measure was reported unanimously.

Rep. Emilia Sykes (D-Akron) said a constituent with chronic pain raised concerns about the limitations in the initial draft of the proposal and said it could hinder patients' ability to get treatment.

Sponsor **Rep. Jay Edwards** (R-Nelsonville) said those provisions have been removed from the bill, which now focuses on ensuring patients have access to medication-assisted treatment if a prescriber is unavailable. "I got a lot of the same calls," he said.

HB 326 **PRESCRIBING AUTHORITY** (Seitz, B., Gavarone, T.) To authorize certain psychologists to prescribe psychotropic and other drugs for the treatment of drug addiction and mental illness. (**CONTINUED (No testimony)**; 6th Hearing-Possible substitute & amendments)

HB 546 **TELEMEDICINE** (Patton, T.) To prohibit health benefit plans from treating telemedicine services differently from in-person health care services solely because they are provided as telemedicine services. (**CONTINUED**; 4th Hearing-All testimony-Possible vote)

Jimelle Rumberg, executive director of the Ohio Foot and Ankle Medical Association, said the measure would enhance physicians' efforts to provide quality, cost-effective care by allowing the care delivery system to evolve through telemedicine.

"As employers and insurers continue to drive consumers to high-deductible insurance plans that require more patient out-of-pocket requirements, telemedicine and its ability to provide quality care for lower prices could help consumers better manage their out-of-pocket requirements that are mandated by these high-deductible plans," she said.
She disputed claims that the legislation would mandate the use of telemedicine by insurers or health plans, saying it only creates a "payment parity" between in-person and telemedicine services.
"HB546 simply says that payment discrimination to a provider cannot take place solely based on the fact that the service is provided via telemedicine," she wrote. "Insurers and health plans still would have utilization management tools they may use to regulate telemedicine services and HB546 does not infringe on those capabilities."
Miranda Motter, president and CEO of the Ohio Association of Health Plans, said in written testimony that the proposal constitutes a statutory mandate for coverage of telehealth, which could stifle innovation and limit the technology's ability to be a tool to drive down costs.
"Telehealth should not be used to increase health care costs for consumers, employers and the state as the payer for Medicaid and the State Employees Health Plan," she wrote. "As a result, Ohio's health care consumers should not have to pay for 'bricks and mortar' infrastructure, facility fees and other types of fees hospitals and doctors charge for in-person services."

HB 559 **CHILD IMMUNIZATIONS** (**Gonzales, A.**, **Landis, A.**) To make changes to the law governing immunization of children enrolled in school, preschool programs, and day-care programs. (**CONTINUED-SUBSTITUTE**; 4th Hearing-Possible substitute & amendments)

The panel accepted a substitute version that removes the requirement that the Department of Health publish immunization rates by school building and makes other changes, said **Rep. Theresa Gavarone** (R-Bowling Green). (**Comp Doc**)
The school building change stemmed from concerns that it could lead to shaming and might allow specific students to be identified, she said.
The new version retains provisions about school-level reporting to ODH and clarifies that information from private and parochial schools is not to be posted on the department's website, she said.
Rep. Gavarone said the new version expands the eligible documents to include a copy of the child's immunization record and allows the provider to submit a form for parents seeking a non-medical exemption. It also delays implementation until the 2021 school year.
The committee received written testimony from Donna Kazee, president of Ohio Advocates for Medical Freedom, who urged committee members to pay more attention to concerns from opponents.
Ms. Kazee raised concerns about the tracking of vaccination and exemption status and the public posting of data, and about the insertion of a third party into the exemption process against the parent's choosing.
"These and other parents should not be forced to receive education and information when they are declining for religious/conscience reasons, which have nothing to do with medical information," she said.

She also suggested more details of the required form be standardized, raising concerns that it could include statements such as that they are placing their child and others in danger by not vaccinating.
"We encourage and are happy to assist with further discussion about both standardized form contents and responsibility and determination of standardized risk and benefit information," she said.

HB 677 **MENTAL HEALTH** (Barnes, J.) To require the Department of Mental Health and Addiction Services to operate a demonstration program under which a mental health trauma center is established as part of a county hospital located in Cuyahoga County. (**CONTINUED**; 1st Hearing-Sponsor & proponent)

Sponsor Rep. John Barnes (D-Cleveland) said it would require a mental health trauma center to be established through a demonstration program at a county hospital in Cuyahoga County.
"In the state of Ohio, we have a crisis of mental health issues, and largely our government has been reactive to the problem," he said.
The proposal is intended to get out in front of the issue by improving access to mental health services, particularly short-term services, he said.
The sponsor said he hoped to work out the details of the proposal over the summer.

HB 72 **STEP THERAPY** (Johnson, T., Antonio, N.) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. (**CONTINUED-SUBSTITUTE**; 6th Hearing-Possible substitute)

The committee accepted a substitute version that **Rep. Terry Johnson** (R-McDermott) said made a variety of changes. (**Fiscal Note**)
The new version replaces the terms "based on medical necessity" and "medically appropriate" with "consistent with medical and scientific evidence," he said. It also reduces the exemptions to four and modifies them. It now exempts a patient when the medication is contra-indicated or will likely cause an adverse reaction or physical or mental harm, as opposed to previously just if it is contra-indicated, he said.
The substitute version also makes changes to the appeals process, he said.

Civil Justice

HB 147 **HUMANE SOCIETIES** (Hambley, S.) To make changes to humane society law and to make humane society agents subject to bribery law. (**REPORTED**; 4th Hearing-All testimony-Possible vote)

Corey Roscoe, Ohio state director for the Humane Society, submitted interested party testimony in which she said concerns remain that the regulations proposed "can create overdue burdens and unintentionally make it harder for humane societies to perform their volunteer law enforcement duties."
"One prominent concern of the bill is to require non-prosecution requirements entered in by humane society-appointed prosecutors be approved by a judge but not required for all prosecutors and cases prosecuted under 959," Ms. Roscoe wrote. "The law should be

consistent for all prosecutors if the goal of judicial review is to serve as a check and balance."

HB 615 **DEBT COLLECTIONS** (**West, T.**) To require creditors, prior to collecting the debt of a decedent outside of probate, to explicitly inform the person from whom payment is sought that the person is under no obligation to pay the debt. (**CONTINUED**; 1st Hearing-Sponsor)

Due to the lateness of the committee's start, in terms of HB615, HB672 and HB694, Chair **Rep. Jim Butler** (R-Oakwood) said the panel would accept written sponsor testimony to constitute each bill's first hearing. Sponsors may appear before the panel at a later date to answer questions, he said.

In written testimony, **Rep. Thomas West** (D-Canton) urged support for his measure that aims to ensure those who have lost loved ones don't mistakenly believe they are obligated to pay the deceased's debts.

"House Bill 615 will require all creditors that have claims against an estate to inform the person from whom payment is sought, that they as an individual are under no obligation to pay the debt," the sponsor wrote. "The bill also states that failure to inform the individual is considered an unconscionable act and renders the creditor subject to legal action by the Attorney General or by the individual that was left uninformed."

HB 672 **PUBLIC RECORDS** (**Barnes, J.**) To create a procedure by which a person may obtain a court order to correct an error, omission, or legal defect in a public record, and to name the act the "Final Order Correction Act." (**CONTINUED**; 1st Hearing-Sponsor)

Rep. John Barnes (D-Cleveland) said in his written presentation the proposal would enable a person to file a petition in the court of common pleas to request a correction or invalidation if an error, omission or legal defect is found in a public record.

The error must personally affect the complainant, who must then file with the county where the office responsible for the record is located or where the record is kept. The office must then respond and state the basis for belief the record is accurate.

The court would then determine whether a correction or invalidation is required based on a preponderance of the evidence. "The (bill) will ensure that the constitutional right of due process is achieved," Rep. Barnes wrote.

HB 694 **CONTRACT LIMITATIONS** (**Lang, G.**) To shorten the period of limitations for actions upon a contract. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. George Lang (R-West Chester Twp.) said in written testimony his proposal is "short but significant" in that it reduces the statute of limitations for written and oral contracts from eight and six years respectively to three years.

"As a business owner, the more certainty I can gain, the more business risks I can take," Rep. Lang said. "If I know my liability on a contract only runs for three years, I can take on different relationships. I can be certain that my current obligation will run for a time certain. This allows me to launch capital expenditures, strategically deploy capital, and to secure appropriate risk management devices."

Ohio previously had a 15-year statute on written contracts until 2012. He pointed to similar steps taken by Kentucky and other states, saying they risk putting Ohio at a competitive disadvantage.

"A significant, tangible cost savings will result for business by removing the necessity to retain eight years of documents," Rep. Lang said. "More and more, document retention is becoming a cost driver for business. Limiting the need to only three years, will remove a key burden on businesses."

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

Click the after a bill number to create a saved search and email alert for that bill.

© 2018, Gongwer News Service, Inc. Reproduction of this publication in whole or in part without the express permission of the publisher is in violation of the federal Copyright Law (17 USC 101 et seq.) as is retransmission by facsimile or any other electronic means, including electronic mail.

From: report@hannah.com
Sent: Wednesday, June 27, 2018 10:49 PM
To: DL_Hannah
Subject: Hannah News Stories for Wednesday, June 27, 2018

Wednesday, June 27, 2018

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- Senate Releases Calendar for Second Half of 2018
- House OKs Religious Rights Bills, Child Marriage Ban, Rules on Explicit Images
- Senate Passes Government Regulations Reduction, Community School Legislation
- Dems Thwarted in Effort to Report Out Payday Lending Bill
- Senate Panel Seeks to Clarify E-School 'Safe Harbor' Provisions
- Energy Standards Bill Still Not Ready to Move, Lawmakers Say
- Portman, Brown Tout Defense Investment, Push Lake Erie Clean-Up
- SCOTUS Rules against Public-Sector Labor Unions
- Reactions Roll In to SCOTUS Decision in Janus v. AFSCME 31
- U.S. Supreme Court Justice Kennedy to Retire
- Judicial Actions: Opinions; Appeals Accepted
- Executive Actions: Appointments

House Committee Reports

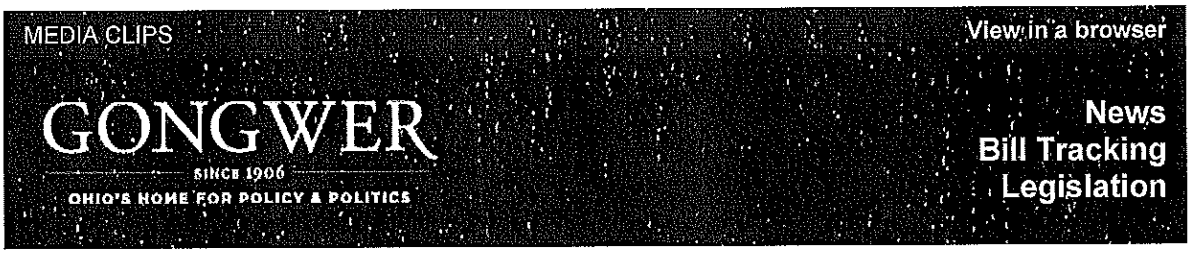
- Agriculture and Rural Development
- Armed Services, Veterans Affairs and Homeland Security
- Civil Justice
- Government Accountability and Oversight
- Health
- Insurance

Senate Committee Reports

- Education
- Energy and Natural Resources
- Finance
- Government Oversight and Reform
- Rules and Reference Committee
- Transportation, Commerce and Workforce

© 2018 Hannah News Service, Inc., Columbus, Ohio. Unauthorized redistribution or reproduction prohibited.

From: Gongwer News Service
Sent: Thursday, June 28, 2018 8:34 AM
To: Best, Carolyn
Subject: Ohio Media Clips, Thursday, June 28



NEWS

Firm hired to investigate lawmaker also donated to him (Associated Press, 6/28/2018)

Ohio lawmakers look to provide online academy 'safe harbor' (Associated Press, 6/28/2018)

Grab a beer with man's best friend: Ohio expected to allow dogs on patios (Cincinnati Enquirer, 6/28/2018)

This U.S. Supreme Court decision might have forced Ohio into 'right-to-work' (Cincinnati Enquirer, 6/28/2018)

Bone appetit: Dogs could soon be welcome at bar and restaurant patios (Cleveland Plain Dealer, 6/28/2018)

Ohio lawmakers OK $114.5 million for new voting machines (Cleveland Plain Dealer, 6/28/2018)

Ohio legislature passes blockchain legislation (Cleveland Plain Dealer, 6/28/2018)

Ohio Senate Democrats push for payday lending vote; Republicans scramble to shut it down (Cleveland Plain Dealer, 6/28/2018)

Schools that took in ECOT kids win 'safe harbor' from penalties for bad grades (Cleveland Plain Dealer, 6/28/2018)

Sherrod Brown nabs endorsement from Ohio doctors group (Cleveland Plain Dealer, 6/28/2018)

Drug middlemen charging Ohioans triple the going rate (Columbus Dispatch, 6/28/2018)

Law firm that cleared legislator also gave him cash (Columbus Dispatch, 6/28/2018)

Ohio legislature sends package of e-school bills to Kasich (Columbus Dispatch, 6/28/2018)

Ohio legislature sends package of e-school bills to Kasich (Columbus Dispatch, 6/28/2018)

Ohio payday lenders off the hook — for now at least (Columbus Dispatch, 6/28/2018)

Sexting bill looks to give teens a break for bad choice (Columbus Dispatch, 6/28/2018)

Ohio congressman: Delay replacing Justice Kennedy till after fall election (Dayton Daily News, 6/28/2018)

Ohio House votes to prohibit forcing churches to perform gay weddings (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to ban sexting by anyone under 19, set up diversion program (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to end fees charged for credit freezes (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to raise marriage age after Dayton Daily News investigation (Dayton Daily News, 6/28/2018)

High court strikes down fair-share fees for public workers (Toledo Blade, 6/28/2018)

Last minute bills move in Ohio House, Senate (Toledo Blade, 6/28/2018)

State lawmakers approve Lake Erie funding bill (Toledo Blade, 6/28/2018)

Toledo abortion clinic argues state fines unwarranted (Toledo Blade, 6/28/2018)

EDITORIALS

Sarah LaTourette a rising star in Ohio House: Brent Larkin (Cleveland Plain Dealer, 6/28/2018)

Editorial: Cops in schools are helpful with appropriate guidelines (Columbus Dispatch, 6/28/2018)

Payday lending fiasco (Toledo Blade, 6/28/2018)

This message is provided to you as part of your subscription to Gongwer News Service.

Please send all correspondence to gongwer@gongwer-oh.com. This mailbox is not regularly monitored.

View as a Web Page

Copyright 2018, Gongwer News Service/Ohio
17 S. High St., Suite 630, Columbus OH 43215
All Rights Reserved. This message and any attachments may not be forwarded or reproduced without

From: The Buckeye Institute
Sent: Tuesday, May 22, 2018 10:31 AM
To: Best, Carolyn
Subject: The Buckeye Institute Calls on Policymakers to Protect the "Brilliance of America's Constitution": Federalism

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
May 22, 2018

The Buckeye Institute Calls on Policymakers to Protect the "Brilliance of America's Constitution": Federalism

Daniel J. Dew Testifies Before the Ohio Senate Local Government, Public Safety, and Veterans Affairs Committee

Columbus, OH -- The Buckeye Institute's Daniel J. Dew testified today (see full text below or **download a PDF**) before the Ohio Senate Local Government, Public Safety, and Veterans Affairs Committee on Senate Concurrent Resolution 23 and the importance of constitutional federalism.

"The significance of federalism and the separation of powers between the federal and state governments can hardly be overstated," Dew said in opening his testimony where he outlined three points for members of the committee to consider: the importance of federalism, the erosion of federalism, and the future of federalism.

The importance of federalism, Dew testified, was expressed by "Justice Anthony Kennedy [who] once wrote that 'Federalism was our Nation's own discovery...It was the genius of their [the Framers] idea that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other.'" Dew went on to say "Federalism is that unique system of sovereignty and power that protects the people of one state from the dictated policy preferences of another."

Recognizing that American federalism has been eroded, Dew highlighted the case of Montgomery County farmer, Roscoe Filburn, who lost his 1942 case against the federal government, which had charged Mr. Filburn with violating the federal quota limiting the amount of wheat that farmers could legally grow. In its ruling against Mr. Filburn, the Supreme Court looked to the Commerce Clause, which as Dew said, "Has not been the only lever that Congress has pulled to further shrink the sphere of the several states." Congress and the federal government, also offer "vast sums of federal money in exchange for states doing what Congress is not otherwise authorized to do," as they did with the "once-popular but now widely-criticized Crime Bill of 1996," where they offered states money if they would increase prison sentences for those convicted under state law. And, as Dew points out, "Many states obediently rewrote their criminal statutes in order to take Uncle Sam's cash."

Dew closed his testimony by pointing out that there is hope for federalism and, "It affords opportunities for states to assert their prerogatives once again." To do that Dew says, "State attorneys general must...defend state sovereignty against federal action in court," state legislatures must close loopholes that allow greater federal government incursion, and legislatures must "actively resist the temptation to take federal dollars that Congress offers to entice Ohio to do its bidding."

###

Interested Party Testimony Before the Ohio Senate
Local Government, Public Safety, and Veterans Affairs Committee

Daniel J. Dew, Legal Fellow
The Buckeye Institute
May 22, 2018

Chair Uecker, Vice Chair Wilson, Ranking Member Thomas, and members of the Committee, thank you for the opportunity to testify today regarding Senate Concurrent Resolution 23 and the importance of constitutional federalism.

My name is Daniel J. Dew, and I am the legal fellow at The Buckeye Institute's Legal Center, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The significance of federalism and the separation of powers between the federal and state governments can hardly be overstated. And although we as lawyers and members of the General Assembly are undoubtedly familiar with this founding principle of our great

republic, it remains useful to remind ourselves of that principle, how and for what purpose it functions, and what role it might play in our political future. To that end, I offer the following three points for your consideration: the importance of federalism; the erosion of federalism; and the future of federalism.

The Importance of Federalism

The undisputed brilliance of America's founding and Constitution lies in federalism. Justice Anthony Kennedy once wrote that "Federalism was our Nation's own discovery. The Framers split the atom of sovereignty. It was the genius of their idea that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other." Justice Kennedy reminds us that the greatest check on federal power under the Constitution was not the separation of power divided among three co-equal branches, but the division of power between the sovereign states and the sovereign United States.

To implement this balance of separated power, the Constitution established several structural safeguards to protect against political "incursions." State sovereignty was protected first by the express, but limited delegation of specific powers that the Constitution granted to the national government. Many of the Framers considered these enumerated federal powers to be the extent of national authority, but others worried that without additional explicit protections, the national government would expand beyond its delegated sphere.

In opposing the need for a bill of rights, for example, Alexander Hamilton argued in Federalist 84:

> "I go further, and affirm that bills of rights...are not only unnecessary in the proposed constitution, but would even be dangerous. They would contain various exceptions to powers which are not granted; and on this very account, would afford a colourable pretext to claim more than were granted. For why declare that things shall not be done which there is no power to do?"

To sharpen his point, Hamilton went on to ask: "Why for instance, should it be said, that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed?"

Notwithstanding Hamilton's rhetorical question, the Bill of Rights was soon ratified, and with it a second constitutional safeguard for federalism and state sovereignty. James Madison, the architect of the constitutional structure, initially resisted a bill of rights, believing like Hamilton that such express protections were unnecessary given the few and

defined federal powers. But Madison later authored the Constitution's 10th Amendment, which expressly reserves to the people and the several states any powers not delegated to the federal government.

One final structural safeguard for state authority was the Constitution's initial requirement that U.S. Senators be elected by state legislatures. This provision -- later nullified in 1913 by the Seventeenth Amendment -- gave states a more direct representation in the national Congress, essentially giving states a veto power over any legislation that infringed on state prerogatives or sovereignty.

The animating principle behind each of these safeguards, of course, was the Framers' understanding that local governments are best suited to govern *local* matters, and that you, as Ohio's legislature, would know better than Congress or the President how to solve the problems and concerns of Ohio and your constituents. Federalist 17 went so far as to call any attempt by the national government to involve itself in local matters "troublesome."

We see the wisdom of this concern manifest in our own political climate today. We see fundamental differences of opinion from state to state on the proper role, scope, and interests of government -- whether state or federal. Californians, for example, do not want Oklahomans or Alabamans dictating policy for California -- and the feeling is almost certainly mutual -- just as we would never want that "state up north" dictating policy for the great state of Ohio.

Federalism is that unique system of sovereignty and power that protects the people of one state from the dictated policy preferences of another. It allows those governments closest to the people to determine the policies that impact daily life -- at least that's how it was designed.

The Erosion of Federalism

The structural safeguards protecting state and federal power against what Justice Kennedy called the "incursions of the other," have unfortunately eroded. The 17th Amendment in 1913 that called for the direct, popular election of U.S. Senators dealt a significant blow to the original constitutional bulwark. After 1913, the several states no longer had direct representation in Congress, as their Senators were no longer elected by their legislatures. The Amendment's effect was tempered for several years, despite the agenda of the early Progressive movement to expand federal authority, because the Supreme Court took a relatively narrow view of national powers in those days. That view, however, would evolve.

In the late 1930s and early 40s, under tremendous pressure from President Roosevelt, the Supreme Court began taking a broader perspective of the scope of federal power. In so doing, the Court radically redrew the lines between "local" and "national" interests, and shifted the delicate balance of power and sovereignty in Washington's favor.

Perhaps the Court's most infamous decision on federalism, *Wickard v. Filburn*, started just outside Dayton, Ohio. At issue was the federal quota limiting the amount of wheat that farmers could legally grow. Montgomery County farmer, Roscoe Filburn, grew his quota, but also grew some extra wheat for his family's own consumption. Federal authorities charged Mr. Filburn with violating the federal quota, and Filburn challenged Congress's authority to regulate the size of his personal crop -- he had no intention, after all, to sell his personal family portion across state lines. Thus, argued the farmer, he was not engaged in interstate commerce and therefore was beyond federal reach. In its 1942 decision, the Supreme Court disagreed.

The *Wickard* Court held that Mr. Filburn's personal wheat consumption could be aggregated with other farmers who might also plant their own wheat, and that, when aggregated, these personal portions could impact the national wheat market. Such a potential impact, said the Court, brought Mr. Filburn's private wheat stock within Congress's authority under Article I, Section 8 to "regulate commerce with foreign nations, and among the several states."

Since then, the country's balance of sovereignty has never been the same, as virtually any facet of local, daily life -- once aggregated -- could be construed to have a national impact. In fact, it would be more than 50 years after Mr. Filburn's case before the Supreme Court would find a federal law exceeding the outer limits of Congress's authority to regulate interstate commerce.

The effect of such a shift in the balance of power was summarized more recently by Justice Clarence Thomas, who wrote:

> "There is a danger to concentrating too much, as well as too little, power in the Federal Government. This Court has carefully avoided stripping Congress of its ability to regulate *inter*state commerce, but it has casually allowed the Federal Government to strip States of their ability to regulate *intra*state commerce -- not to mention a host of local activities..."

Unfortunately, the Constitution's Interstate Commerce Clause has not been the only lever that Congress has pulled to further shrink the sphere of the several states. When the ever-elastic powers of the Commerce Clause are not enough to impose Washington's will,

Congress often resorts to Don Corleone's famously effective approach in *The Godfather* -- and makes the states an offer they can't refuse.

That offer typically involves Congress sending states vast sums of federal money in exchange for states doing what Congress is not otherwise authorized to do. For example, Congress's once-popular but now widely-criticized Crime Bill of 1996 offered money to states if they would increase prison sentences for those convicted under state law. Here, Congress inserted itself into local criminal justice matters that had been traditionally -- and for good reason -- left entirely to the state and local authorities. The money, however, was too much to resist and many states obediently rewrote their criminal statutes in order to take Uncle Sam's cash. Like the Commerce Clause, the Supreme Court has found precious little beyond Congress's so-called Spending Power-a coercive power that Chief Justice Roberts once called "a gun to the head."

Collectively, or "in the aggregate," constitutional amendments and the Supreme Court's reinterpretation of constitutional authority have eroded the safeguards of federalism over the years. The structural lines that protected each political sovereign from the "incursions of the other" have been undeniably blurred. But there is hope.

The Future of Federalism

Few would argue that federalism today remains the robust stalwart against federal encroachment that James Madison and Alexander Hamilton had envisioned. The ebbs and flows of history and jurisprudence have taken their toll. But the constitutional structure that originally "split the atom of sovereignty" still remains, and it affords opportunities for states to assert their prerogatives once again. To do that, state attorneys general must continue to vigorously defend state sovereignty against federal action in court. Regrettably, such resistance will likely need to become the norm and not the exception if Ohio and her sister states are to restore the rightful balance of constitutional power.

And you, serving as the legislature, will also need to join the fight. In the last session, the General Assembly stood up for Ohio by limiting federal efforts to circumvent protections that you extended your constituents through civil asset forfeiture reform. You wisely closed a loophole in the federal Equitable Sharing program that had allowed law enforcement to evade state restrictions on civil forfeiture and take property from those who had never even been charged with a crime.

But more than just closing loopholes, you can actively resist the temptation to take federal dollars that Congress offers to entice Ohio to do its bidding. As we all know, those dollars inevitably dry-up and all that's left are growing piles of red-tape and state debt. By resisting

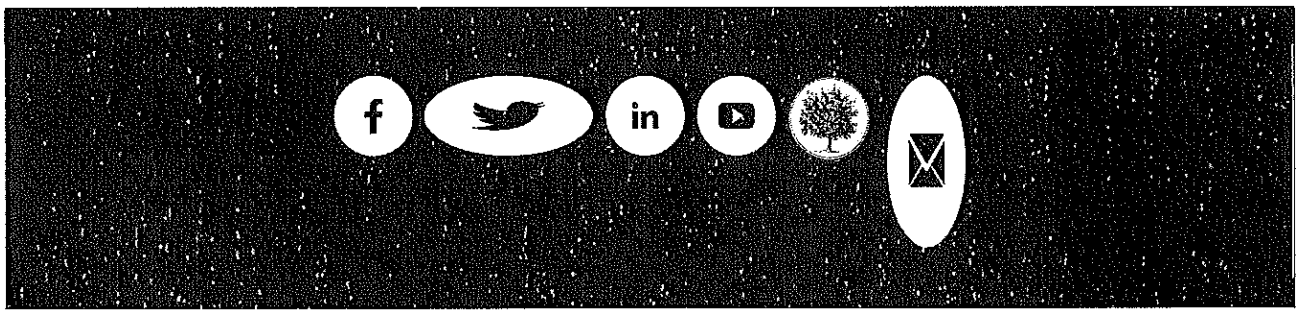
the siren song of Congress, Ohio can once again begin to safeguard her own sovereign, political interests. As Chief Justice Roberts quipped a few years ago, "The States are separate and independent sovereigns. Sometimes they have to act like it."

Thank you for the opportunity to address this important subject today. I would be happy to answer any questions you might have.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe™ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Tuesday, May 22, 2018 4:15 PM
To: Best, Carolyn
Subject: The Buckeye Institute: Ohio Shouldn't Regulate Professions Unless There is a Risk to Public Safety

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
May 22, 2018

The Buckeye Institute: Ohio Shouldn't Regulate Professions Unless There is a Risk to Public Safety

Greg Lawson Testifies before the Ohio House Economic Development, Commerce, and Labor Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio House Economic Development, Commerce, and Labor Committee on the policies in House Bill 504.

In his testimony, Lawson noted that while House Bill 504 is not an occupational licensing bill, "as a permissive certification, the bill would effectively expand the scope of practice for those who seek the new certification," and The Buckeye Institute "continue[s] to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk."

###

Interested Party Testimony Before the Ohio House Economic Development, Commerce, and Labor Committee on House Bill 504

Greg R. Lawson, Research Fellow

The Buckeye Institute
May 22, 2018

Chairman Young, Ranking Member Lepore-Hagan, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 504.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution-a think tank-whose mission is to advance free-market public policy in the states.

Ohioans should not have to ask the state for permission to earn their living. Yet, all too often, Ohio's occupational licensing requirements serve as "permission slip" policies that make it harder-and sometimes impossible-for Ohioans and would-be Ohioans to pursue their careers and put food on the table for their families. Such policies must end.

Enter House Bill 504. First, The Buckeye Institute appreciates that this bill is not technically a licensure bill for interior designers. As a permissive certification, the bill would effectively expand the scope of practice for those who seek the new certification.

Under the proposed bill, certified interior designers would be permitted to submit plans directly to building code officials rather than having to work under the direction or supervision of an architect or engineer, as is presently the case. These steps are better than prior proposals that would have required a license to be an interior designer. However, we continue to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk.

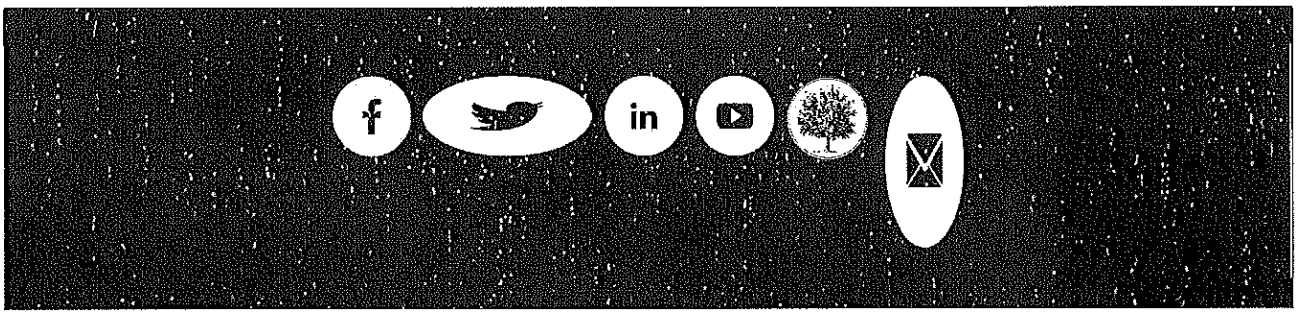
Second, The Buckeye Institute respectfully suggests that the Committee consider clarifying potential professional liability issues that House Bill 504 may unintentionally create. Expanding the scope of practice for interior designers by permitting them to submit plans to building officials should make the certified designer-and not the architect or engineer-liable for any problems that arise from the designer's submitted designs. As written, however, the bill does not make clear if this would in fact be the case.

Thank you for your time and consideration. I welcome any questions the Committee might have.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

SafeUnsubscribe™ carolyn.best@ohiohouse.gov
Forward this email | Update Profile | About our service provider
Sent by info@buckeyeinstitute.org

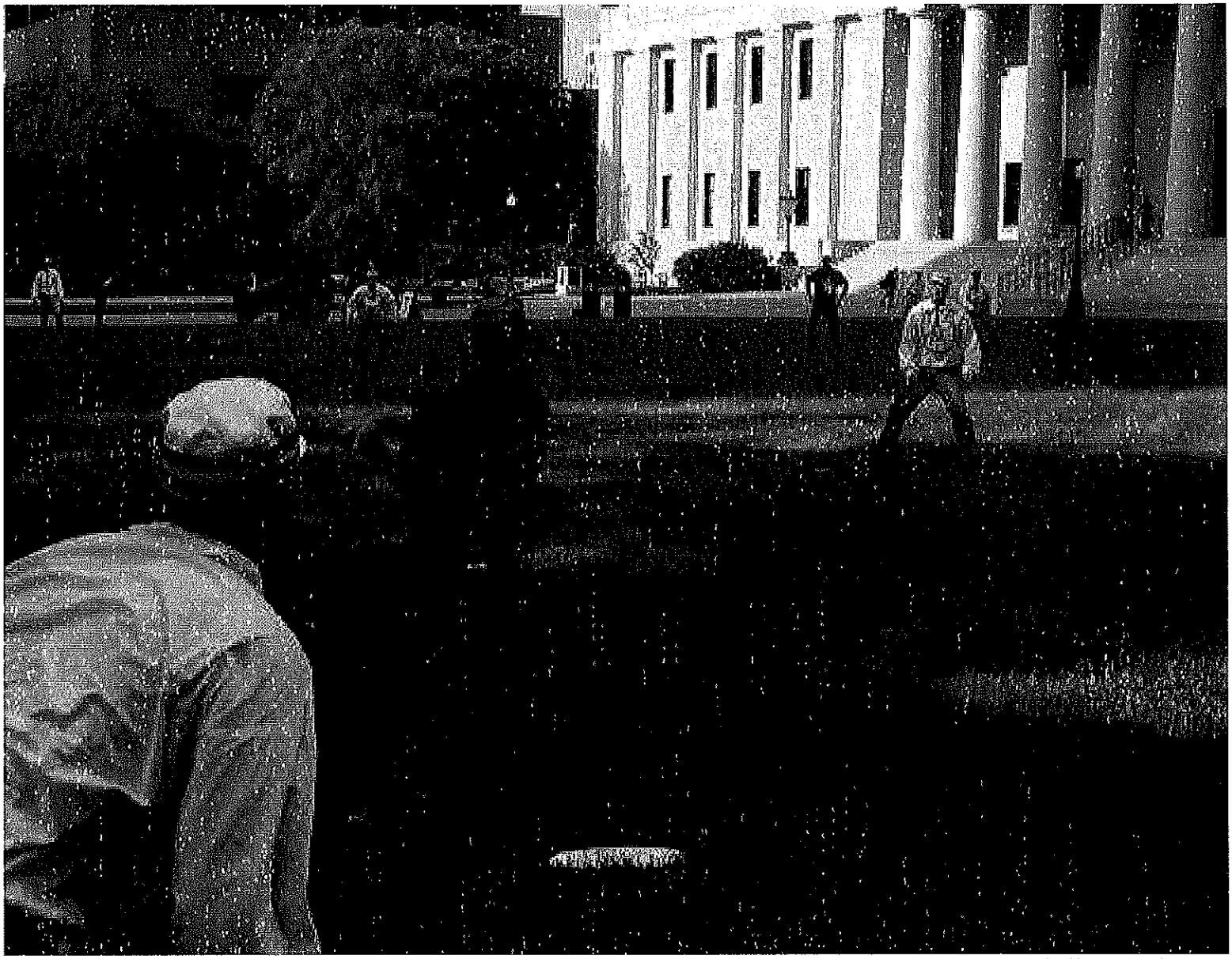
From: Capitol Letter
Sent: Wednesday, May 23, 2018 6:15 AM
To: Best, Carolyn
Subject: Speakerless House kills, alters bills

Wednesday, May 23, 2018 View in Browser

cleveland.com

Capitol Letter

Laura Hancock and Jeremy Pelzer



Rep. Kyle Koehler, a Springfield Republican, hits a fly ball Tuesday during the 8th annual vintage "base ball" game betwee state lawmakers and the Ohio Village Muffins on the Statehouse grounds.(Jeremy Pelzer/Capitol Letter)

Rotunda Rumblings

Up in smoke: A House committee snuffed out a bill Tuesday that would have required purchases and sales in Ohio's new medical marijuana program to be cashless. The House Government Accountability and Oversight Committee rejected House Bill 495, 7 to 5 – an unusual defeat,

considering that committee chairs don't generally bring a bill to a vote if it's not going to pass.

Out of the loop: H.B. 495 would have required medical marijuana patients and businesses to make purchases and payments electronically through debit cards. Each transaction in the "closed-loop system" could be tracked to ensure the program followed state law. But the idea was criticized because transaction fees would be added each time a card was swiped. A marijuana security expert said it wouldn't prevent money laundering or illegal drug trafficking. Before the committee defeated the bill, it unanimously adopted an amendment proposed by sponsor Rep. Bill Seitz that would have in part dissolved the closed-loop system if the federal government ever allowed banks and other financial institutions to operate in the marijuana industry.

No House bill votes yet: The Ohio House, which has been without a speaker as Republican leaders have tried to agree on a replacement for ex-Speaker Cliff Rosenberger for the rest of the year, has an ever-growing backlog of legislation awaiting floor action before summer break. But none of it will be addressed during Wednesday's House session. House GOP spokesman Brad Miller tells Capitol Letter that the only item on Wednesday's agenda will be to elect a speaker. After that, Miller said, House Republicans plan to caucus Wednesday night, then hold votes on legislation on Thursday – the final scheduled session day before this fall. If that plan holds, the House Rules Committee will decide Wednesday which bills will be voted on Thursday.

More fallout: The House's lack of a speaker altered another bill Tuesday. House Bill 525 originally would have increased Ohio's film tax credit from $40 million to $100 million a year, and made Broadway productions eligible for the benefit. But the committee wiped out the credit increase, sending the tax break back to $40 million. Former Speaker Rosenberger was a co-sponsor on the bill. After he resigned, documents revealed he dashed off to Burbank, California, to woo Disney to build a film studio near Cincinnati – based on a discussion with someone who was not a Disney employee. Only after meeting with Disney officials in person did he learn there was never a plan for an Ohio studio.

Bad for business: A collection of powerful business groups penned a letter to House members on Monday, imploring them to end the deadlock over electing a new speaker. "Without a speaker – and with the distracting controversy of electing one – we risk timely progress" on issues such as "regulatory reform, workforce education and development, tax matters, additional tort measures, and meaningful unemployment compensation reform," the letter stated. It was signed by officials with NFIB-Ohio, the Ohio Business Roundtable, the Ohio Chamber of Commerce, the Ohio Farm Bureau, the Ohio Council of Retail Merchants, and the Ohio Manufacturers' Association. Not mentioned: which candidate the groups prefer to see as speaker.

Making records: Lawmakers advanced a bill that would specify police body cameras and dash cams are generally public record. There is no state law for body cameras, and House Bill 425 outlines 17 instances when recordings would be exempt from public records law – including to protect sexual assault victims and footage showing violence against police officers. The Ohio News Media Association and the Ohio Association of Broadcasters generally support the bill, said Dennis Hetzel, who was speaking for both groups. Hetzel was part of negotiations to amend the bill. He hopes the 17 exemptions will be narrowed down in coming weeks and that the dash cam provisions get removed, since existing law and court rulings have clarified that they're usually public record.

Radioactive report: A House committee reported House Bill 393 last week to permit sales of brine from oil and gas drilling for road de-icing, despite a state report showing the salty liquid has radium levels up to 500 times higher than federal drinking-water limits. According to a 2017 memo from the Ohio Department of Natural Resources, state officials found high radium levels in samples taken from a suburban Akron company, as well as from de-icers purchased at nearby stores. As Capitol Letter reported last week, the memo led Rep. Michael O'Brien to remove himself as a co-sponsor of HB 393, but the House Energy and Natural Resources Committee voted 8-4 on May 15 to report the bill. Committee Chair Al Landis didn't return a phone call Tuesday seeking comment.

Cure for patient ills? Lawmakers advanced a bill that would prohibit contracts that force pharmacists from keeping silent when a customer pays

more for a drug with insurance than it would cost to pay with cash. House Bill 479 clamps down on pharmacy-benefit managers, middle men who negotiate between drug makers and pharmacists. In early April, the Ohio Department of Insurance prohibited so-called gag orders requiring pharmacists to contractually keep quiet about the affordable drug option. H.B. 479 goes a step further: If a patient has a $20 co-pay for a drug that only costs $10 if purchased without insurance, the customer must be charged the lesser amount. Antonio Ciaccia of the Ohio Pharmacists' Association said drug prices will become more transparent, and prices will decrease for many Ohioans.

Submetering sub bill: Rep. Mike Duffey's bill to regulate submetering companies (House Bill 249) was altered Tuesday by a House committee. A substitute bill adopted by the House Public Utilities Committee would, among other things, give electric utility companies the right of first refusal to serve new customers before resellers could offer to serve them.

Lawmakers pump up tire bill: Two GOP lawmakers running for statewide office, Sen. Frank LaRose and Rep. Robert Sprague, joined the U.S. Tire Manufacturers Association at a Monday news conference to urge the Ohio House to pass Senate Bill 223, which would slap a $1,000 fine on suppliers who install an unsafe used tire on a vehicle. The bill burned rubber through the Ohio Senate late last year with bipartisan support and cruised through a House committee without opposition in February, but it still awaits a House floor vote. LaRose and Sprague are running for secretary of state and state treasurer, respectively.

Stories We're Talking About

The truth about jobs: Politicians take credit for good job growth, and they assess blame for the bad numbers. Cleveland.com's data expert Rich Exner cut through the spin by analyzing how Ohio's job numbers compared to national trends under recent governors. One interesting finding: "Gov. John Kasich's current term is a lot like the four years under his predecessor, Ted Strickland," Exner writes. "Yet, both terms under Kasich and the one term under the Strickland have been better versus the national trends than the 12 years before them - two terms under Bob Taft and the final term of George Voinovich."

The wait for weed: We were supposed to find out this week which applicants will get licenses to operate medical marijuana dispensaries in Ohio. But the Ohio Board of Pharmacy put off the announcement until early June, cleveland.com's Jackie Borchardt reports.

Headline news from PNN: "Inmates at Ohio's Marion Correctional Institution assembled several dozen computers from various parts, pirated software and illegally copied movies to broadcast on the prison movie network, an investigation from the state inspector general has found," Borchardt reports. The inmates, working for the Ohio Penal Industries' Prison News Network, copied movies rented by prison employees and showed them on the prison movie channel, violating copyright law and the prison's contracts with two film distributing companies.

Win some, lose some: U.S. Rep. Jim Jordan's favored candidates in two Ohio Republican congressional primaries lost earlier this month. But that won't deter the Freedom Caucus founder from trying to increase the size of his group and its political clout, cleveland.com's Sabrina Eaton reports.

Life preserver: Reps. Dave Joyce and Marcy Kaptur have written a letter seeking to save a volunteer advisory board for Great Lakes Restoration Initiative programs that has gone dormant under the Trump administration, Eaton reports. The letter, signed by 24 Congress members, asks EPA chief Scott Pruitt preserve the board, which it says has provided "invaluable advice."

Money matters: The Center for Public Integrity has an interesting look at "dark money" in the 16th Congressional District race. CPI says a group tied to a lobbyist for FirstEnergy spent tens of thousands of dollars on ads attacking state Rep. Christina Hagan and supporting Anthony Gonzalez, who beat her in the Republican primary.

Money matters, Part 2: U.S. Rep. Steve Stivers is the latest Ohio politician to offload campaign contributions connected to ECOT, the now-shuttered online charter school that is being investigated for possible fraud, the Columbus Dispatch reports. Stivers will give $4,300 his campaign received from the school's founder, Bill Lager, to the National Institute for

Civil Discourse, the Dispatch's Jessica Wehrman writes.

Full Disclosure

Five things we learned from state Rep. Bill Reineke's April 9 financial disclosure statement filed with the Ohio Joint Legislative Ethics Committee. Reineke, a Tiffin Republican, is running for re-election and faces Democrat Rachel Crooks, who made headlines when she accused President Donald Trump of sexual harassment, in November.

1. He reported earning $100,000 or more last year as president of Tiffin Ford-Lincoln, $50,000 to $99,9999 as secretary of Reineke Ford Lincoln and $25,000 to $49,999 each from Reineke Lincoln Inc., where he is secretary, and Ford Motor Co.

2. He or one of his immediate family members was also involved in Reineke Nissan, Reineke Honda, Reineke Ford Lincoln of Lima LLC, Reineke RV LLC, Reineke Family Dealerships, 3RLima LLC, Reineke Under 10, SJLD Ltd., WFR Real Estate Inc., 3RM LLC and DEW Properties LLC, Elizcor LLC, ReinX3 LLC and Three R Reinsurance.

3. He's a trustee of the National Auto Dealers Association PAC.

4. He owns stock in Wendy's, Anthem, Marathon Oil, Ford, Merck, Citigroup, First National Bank of the Gulf Coast, GE, Macy's, Apple and Cisco, among other companies.

5. He reported receiving gifts last year valued at over $25 from Ohio Jewish Communities. He received gifts valued at over $75 from Cindy Dunne and the National Conference of State Legislatures.

What's Going On

8 a.m. – Convention of the States rally: Activists plan to gather in support of legislative resolutions to have Ohio join in a call for a U.S. constitutional convention to rein in federal authority and spending power. *West Plaza, Ohio Statehouse.*

8 a.m. to noon – Ohio Data Demo Day: Open data, transparency experts and lawmakers are set to discuss what "open data" means and how it benefits governments. *Jo Ann Davidson Theater, Riffe Center, 77 S. High St.*

8 to 9:30 a.m. – Rep. Kent Smith fundraiser: Sponsor levels for the Euclid Democrat range from $350 to $1,000. *Einstein Bros. Bagels, 41 S. High St.*

8:30 a.m. – Joint Education Oversight Committee: State Superintendent Paolo DeMaria is scheduled to give a presentation. *North Hearing Room, Senate Building.*

9 a.m. – House Finance Committee: The committee may amend and vote on Senate Bill 135, which would offer local governments nearly $115 million to upgrade voting machines. *Room 313, Ohio Statehouse.*

9 a.m. – Senate Ways and Means Committee: Panel members may amend and vote on legislation to set up criteria regarding who's an Ohio resident (House Bill 292) and clarify that certain equipment used in oil and gas drilling is exempt from state sales taxes (House Bill 430). *South Hearing Room, Ohio Statehouse.*

9 a.m. – House Health Committee: Among other business, the committee vote to report House Bill 231, which would require pharmacists to dispense oxycodone, methadone and other controlled substances in bottles that either are opened with a code or show the last time they were opened. *Room 121, Ohio Statehouse.*

9 a.m. – Bureau of Workers' Compensation board of directors committee meetings: Scheduled meetings include the Investment Committee at 9 a.m., the Actuarial Committee at 10:30 a.m., the Audit Committee at 1 p.m., the Medical Services and Safety Committee at 2 p.m., and the Governance Committee at 3 p.m. *Room 3, Level 2, William Green Building, 30 W. Spring St.*

9:30 a.m. to 3 p.m. – Crohn's and Colitis Foundation Ohio Advocacy

Day. *Governor Thomas Worthington Center, Ohio Statehouse.*

9:30 a.m. to 6:30 p.m. – Ohio TourismWorks Legislative Day. *Capital Club, 50 S. Front St.*

9:30 a.m. to 1:30 p.m. – Childrens' Defense Fund Ohio Advocacy Day. *Atrium, Ohio Statehouse.*

10 to 10:45 a.m. – Sen. Frank LaRose to honor soap-box derby champs: The Republican lawmaker and secretary of state nominee plans to present governor's commendations to soap-box derby champions from around Ohio. *Milo's Patio, Ohio Statehouse (rain location is the Statehouse Museum Gallery).*

11:30 a.m. – Ohio Licensed Beverage Association legislative luncheon. *Huntington Tower Terrace, 37th floor, 41 S. High St.*

11:30 a.m. to 1 p.m. – Rep. John Becker fundraiser: The Union Township Republican is seeking contributions ranging from $350 to $1,000. *Ringside, 19 N. Pearl St.*

Noon – Rep. Steve Huffman fundraiser: Donation levels for the Tipp City Republican range from $350 to $1,000. *Pub Mahone, 31 E. Gay St.*

1:30 p.m. – House session.

1:30 p.m. – Senate session.

1:30 p.m. – Public Utilities Commission of Ohio meeting. *Room 11B, 180 E. Broad St.*

4:30 p.m. – Rep. Doug Green fundraiser: The Mt. Orab Republican is seeking donations between $350 and $1,000. *OHROC, 7th floor, 21 W Broad St.*

5 to 7 p.m. – Ohio Supreme Court nominee Melody Stewart fundraiser: Donation levels for the Cleveland Democrat range from $100 to $500. *The Harp, 4408 Detroit Ave., Cleveland.*

5 to 6:30 p.m. – Legislative candidate Bill Roemer fundraiser: The Republican nominee for House District 38 is seeking donations of $350 to $1,000. State Rep. Kristina Roegner is slated to be a special guest. *Buckeye Bourbon House, 36 E. Gay St.*

5:30 p.m. – Sen. Matt Dolan fundraiser: The Chagrin Falls Republican is seeking donations of $250. *Fat Head's Brewery, 24581 Lorain Rd., North Olmsted.*

Birthdays

Greg Lawson, Buckeye Institute research fellow

Rep. Craig Riedel

Straight From The Source

"We're not laughing at you – we're laughing with you."

- Sen. Bill Coley, speaking to Rep. Jim Butler in a Statehouse hallway Tuesday. Coley was making a friendly jab about the House's ongoing difficulties in electing a new speaker.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com_newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

UNSUBSCRIBE | PRIVACY POLICY | CONTACT US

From: Thomas, AJ
Sent: Wednesday, May 23, 2018 11:20 AM
To: House_All
Subject: ALERT- HAPPENING NOW: Deconstructing the Administrative State Luncheon

Come on up to the 31st Floor!

From: Thomas, AJ
Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: RE: Deconstructing the Administrative State Luncheon

Make sure to respond by **this Friday 5/18** for a free lunch! See below:

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: Deconstructing the Administrative State Luncheon

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

A wise man once said, "There is no such thing as a free lunch," but he was wrong!

On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95







THE BUCKEYE INSTITUTE



From: Thomas, AJ
Sent: Wednesday, May 23, 2018 11:20 AM
To: House_All
Subject: ALERT- HAPPENING NOW: Deconstructing the Administrative State Luncheon

Come on up to the 31st Floor!

From: Thomas, AJ
Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: RE: Deconstructing the Administrative State Luncheon

Make sure to respond by **this Friday 5/18** for a free lunch! See below:

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: Deconstructing the Administrative State Luncheon

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

A wise man once said, "There is no such thing as a free lunch," but he was wrong!

On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95

THE OHIO HOUSE OF REPRESENTATIVES

AMERICAN PRINCIPLES PROJECT

THE BUCKEYE INSTITUTE

AMERICANS FOR PROSPERITY

From: Thomas, AJ
Sent: Wednesday, May 23, 2018 11:20 AM
To: House_All
Subject: ALERT- HAPPENING NOW: Deconstructing the Administrative State Luncheon

Come on up to the 31st Floor!

From: Thomas, AJ
Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: RE: Deconstructing the Administrative State Luncheon

Make sure to respond by **this Friday 5/18** for a free lunch! See below:

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: Deconstructing the Administrative State Luncheon

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

A wise man once said, "There is no such thing as a free lunch," but he was wrong!

On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95

THE OHIO HOUSE OF REPRESENTATIVES

AMERICAN PRINCIPLES PROJECT

THE BUCKEYE INSTITUTE

AMERICANS FOR PROSPERITY

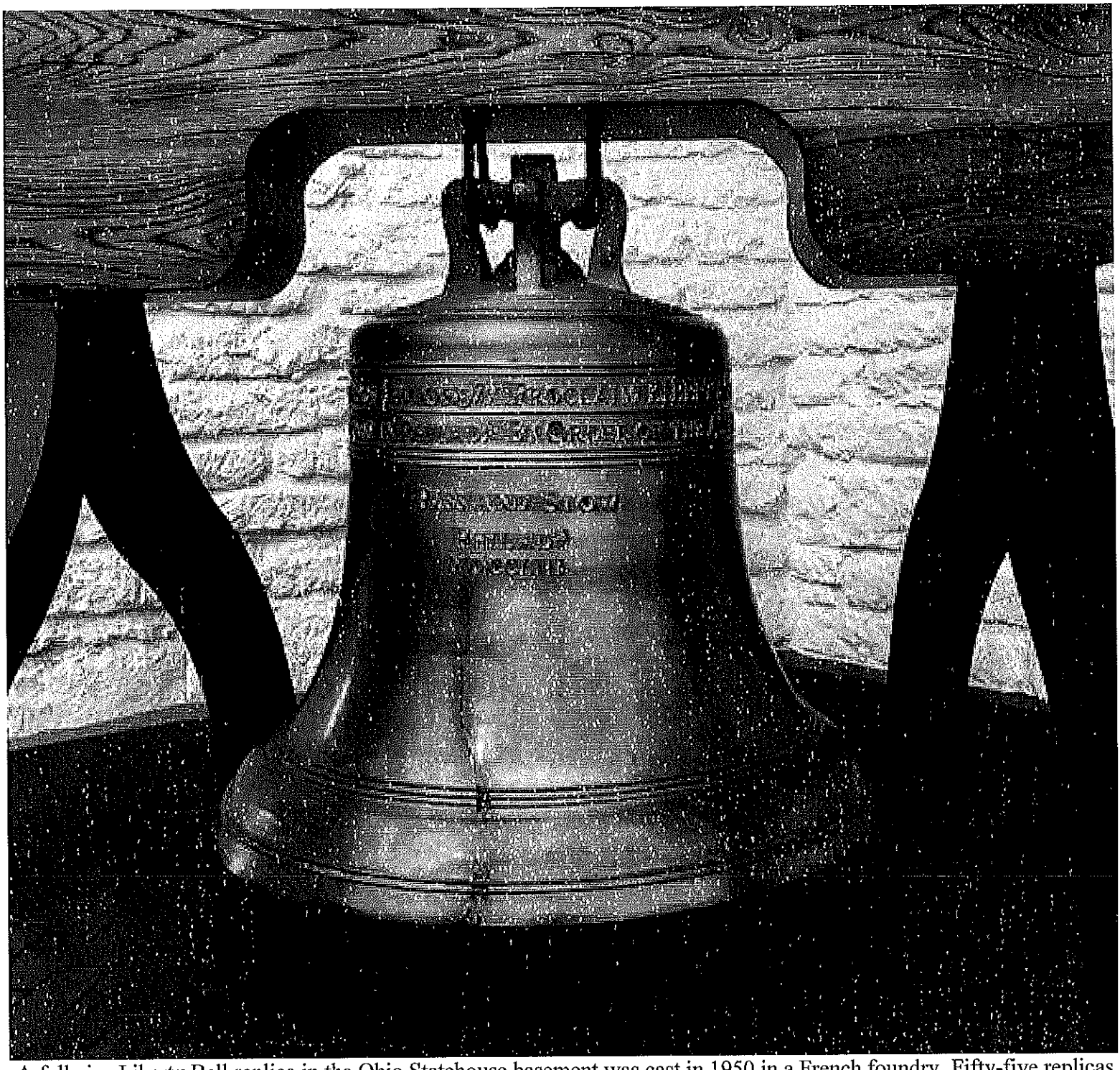
From: Capitol Letter
Sent: Tuesday, May 29, 2018 6:15 AM
To: Best, Carolyn
Subject: Deal may end House GOP speaker impasse

Tuesday, May 29, 2018 View in Browser

cleveland.com

Capitol Letter

Laura Hancock and Jeremy Pelzer



A full-size Liberty Bell replica in the Ohio Statehouse basement was cast in 1950 in a French foundry. Fifty-five replicas were made for U.S. states and territories as part of a campaign to encourage the public to invest in U.S. savings bonds. For

/ears, the bell was in a Statehouse hall near State Street. During the 1990s Statehouse renovation, the bell was moved to the Ohio Historical Society. It returned to the Statehouse in March 2015. (Laura Hancock, Capitol Letter)

Rotunda Rumblings

Deal or no deal? To break the Ohio House's deadlock over finding a speaker for the rest of the year, Speaker Pro Tempore Kirk Schuring, Rep. Larry Householder and Ohio GOP Chair Jane Timken reached an agreement to have Schuring handle the duties. One problem: it's not clear how many lawmakers will go along with the idea, which would require the House to approve a rule change. Rep. Ryan Smith, who has been working to get the votes needed to become interim speaker, told Capitol Letter's Jeremy Pelzer he wouldn't support the deal. "If Ryan's not supportive of this deal, then I think it's deader than a doornail," said Rep. Andy Thompson, who also expressed hesitation over the idea.

Say cheese: Two lame-duck House members are making one last effort to have all standing Ohio House committee meetings broadcast live to the public. Currently, only House floor sessions and House Finance Committee meetings are broadcast on the Ohio Channel. Democrat Dan Ramos and Republican Wes Retherford, the sponsors of House Bill 667, tried to expand that last session, arguing the House already bought the needed wiring and equipment years ago. But their bill last session only got one hearing, and with the House now in dysfunction and the end of session on the horizon, it's likely their new bill is headed for a similar fate.

Last hurrah: HB 667 was just one of a slew of new bills introduced last week by outgoing House members. Ramos introduced seven other measures on topics ranging from an income-tax credit for college expenses to how to break tie votes in elections. But Ramos' output was overshadowed by term-limited Democratic Rep. John Barnes, who introduced a whopping 17 bills dealing with everything from new lead-abatement rules to increasing penalties for assaulting a public-transit employee. Again, the chances of passage are slim for any bill introduced this late in the session – especially when it's from a term-limited Democrat.

Another side of the story: A state lawmaker is questioning claims made

by some payday lenders that they tried to reach a compromise on a bill to tighten regulations on them, and that ex-Speaker Cliff Rosenberger used strong-arm tactics to stop their efforts. Rep. Kyle Koehler, the Springfield Republican who co-sponsored House Bill 123, tells Pelzer that the lenders never put forth a compromise proposal as they claim. He added that Rosenberger actually helped jump-start negotiations by assigning Schuring to be point person for the bill.

Separation of church and state? A House committee advanced a bill last week – despite a warning that the measure could be unconstitutional – that would give state grants to faith-based organizations that help people with substance abuse and addiction problems. ACLU Chief Lobbyist Gary Daniels told members of the House Community and Family Advancement Committee that he understood their frustration with the opioid epidemic and their desire to reverse it. But he said House Bill 427 violates the Establishment Clause of the First Amendment, since the bill doesn't make it clear that religious programs would have to treat people who don't share their beliefs. The bill also doesn't prohibit programs from proselytizing to clients or ban them from requiring clients to attend religious services. "While the Establishment Clause forbids these scenarios, H.B. 427 is silent on these matters," Daniels said.

Just what the doctor ordered? As expected, psychologists and psychiatrists faced off last week over a bill that would allow the PhDs to prescribe psychotropic meds. Marlin Hoover, a psychologist licensed to prescribe in New Mexico in a program similar to Ohio House Bill 326, told the House Health Committee that there's a psychiatrist shortage. And the requirements of shrinks to obtain a master's degree in psychopharmacology, pass an exam and undergo clinical supervision were developed first by the military.

Side effects? Columbus psychiatrist William Resch testified on behalf of the Ohio Psychiatric Physicians Association, saying nearly 200 similar bills have been introduced in the states since 1985 – and only New Mexico and Louisiana have adopted them. Oregon's governor recently vetoed one passed by its legislature. And bills in Illinois, Iowa and Idaho have been passed, but no PhDs are prescribing because rules over prescribing privileges have taken a long time to write, due to the public's safety

concerns, he said. "We believe a a 425-hour online course, which can be completed in the equivalent of 10 weeks, teaching solely about medications, is inadequate preparation for the skills necessary to safely prescribe," he said, arguing that the master's degree doesn't require basic science prerequisites and gives psychologists only limited exposure to anatomy, physiology, biochemistry, neurology, cardiology, gastroenterology and other areas of medicine.

Aftab gets hitched: Democratic Hamilton County Clerk of Courts Aftab Pureval took some time out from his 1st District congressional campaign last weekend to get married to Dr. Whitney Whitis, a physician.

Stories We're Talking About

Not boring: Richard Cordray pushes back on the notion that he's boring during an interview with Ohio Matters, cleveland.com's politics podcast. The five-time Jeopardy champion was anything but boring, telling stories of his past adventures on the basketball court and explaining what's behind his eclectic Twitter persona. Podcast hosts Seth Richardson and Andrew Tobias even got Cordray to play a round of Ohio trivia. Spoiler alert: he answered some challenging questions, got stumped on a couple of others and corrected the hosts when they got one of the facts wrong.

Ad launch: U.S. Rep. Jim Renacci's Senate bid will get a boost from Americans for Prosperity, a group underwritten by the Koch brothers. The group is launching a major ad campaign applauding members of Congress, including Renacci, who voted against the $1.3 trillion omnibus spending bill, and criticizing those who didn't, cleveland.com= 2s Sabrina Eaton reports.

You're cut off: The Ohio Bureau of Workers Compensation got an assist from social media in uncovering a case of fraud in Cuyahoga County, cleveland.com's Emily Bamforth reports. Investigators found a Facebook post that indicated a Lakewood woman who was receiving disability benefits was also working as a bartender.

Moot? A state representative who supports Mike DeWine for governor wants to withdraw his complaint about a $3 million loan to GOP rival Mary

Taylor's gubernatorial campaign, the Columbus Dispatch's Randy Ludlow reports. Rep. Mike Duffey had alleged that the loan, repaid to Taylor's husband, was an illegal campaign contribution. Duffey told Ludlow that his complaint seemed moot because Taylor lost the primary, and he's concerned about the legal costs.

Take my toys and go home? The Dispatch's Jim Siegel has an account of last week's House Education Committee meeting that chairman Rep. Andrew Brenner abruptly ended when it appeared a Democratic-sponsored amendment he didn't like was going to get added to a bill. Democrats such as Rep. Kent Smith are incensed, saying Brenner's actions don't reflect representative democracy. Brenner later said that a number of Republicans would like more time to work on the bill.

Full Disclosure

Five things we learned from Rep. Kirk Schuring's April 9 financial disclosure statement. The Canton Republican is the House's interim speaker and could become the next speaker Wednesday. Schuring also seeks the Senate District 29 seat in November against Democrat Lauren Friedman.

1. In addition to working as a lawmaker, he described himself as an associate at University of Mount Union and said he earned $25,000 to $49,999. The Ohio State Treasurer's office said he earned $91,057 last year in the House.

2. The Ohio House Republican Organizational Committee gave him $1,209.52 for travel. His mileage reimbursement from the House was $6,158.88. Also for travel, the Committee to Elect Cliff Rosenberger gave him $1,805.90, his own campaign committee – Citizens for Schuring – gave him $555.97, the National Conference of State Legislatures gave him $468 and the U.S. Department of Homeland Security gave him $8.

3. He reported receiving gifts from Rosenberger, GOP donor Virginia Ragan, the Texas Department of Public Safety, Ohio State University and the National Conference of State Legislatures.

4. Schuring reported the Ohio Jewish Communities gave him an award plaque worth $65 last year. He received the Greater Cleveland Partnership's Small Business Advocate award, worth $57.95, Ohio Advocates for Medical Freedom gave him a book and DVD worth $30.63. OSU gave him football tickets worth $280. The Cleveland Museum of Art gave him a meal and beverages worth $41.78.

5. He reported owing at least $1,000 at some point in 2017 to T.W. Schervish, Robert Schuring, Kohl's, CSE Credit Union, Robert Glasser, Donald Wilson and One Main Financial. And on April 13, he sent a letter to Tony Bledsoe, the legislative inspector general, saying he needed to amend his statement to include $415.70 in Citizens for Schuring to be listed as an investment.

On the Move

Kalitha Willliams, policy liaison at Policy Matters Ohio, has been elected to the board of the Consumer Federation of America, an association of non-profit consumer interest groups.

What's Going On Today

10 a.m. – Ballot Board meeting: The board is set to determine whether a proposed constitutional amendment to restrict payday lending is one or multiple ballot issues. *Finance Hearing Room, Senate Building.*

10:30 a.m. – BRAC task force to release findings: Members of the Ohio legislature's Task Force on Base Realignment and Closure and Military Affairs plan to unveil their recommendations. *Harding Press Room, Room 109, Ohio Statehouse.*

5:30 to 7 p.m. – U.S. Rep. Tim Ryan to hold Youngstown town hall. *Room 132, DeBartolo Hall, Youngstown State University, One University Plaza, Youngstown.*

5:30 to 7 p.m. – Rep. Richard Brown fundraiser: Sponsor levels for the Canal Winchester Democrat range from $100 to $500. *Dempsey's, 346 S.*

High St.

Birthdays

State Sen. Steve Wilson

Straight From The Source

"To call it a clown show is unfair to clowns, who actually are doing what they're paid to do."

- A Columbus Dispatch editorial about the impasse over electing a new Ohio House speaker.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

UNSUBSCRIBE | PRIVACY POLICY | CONTACT US

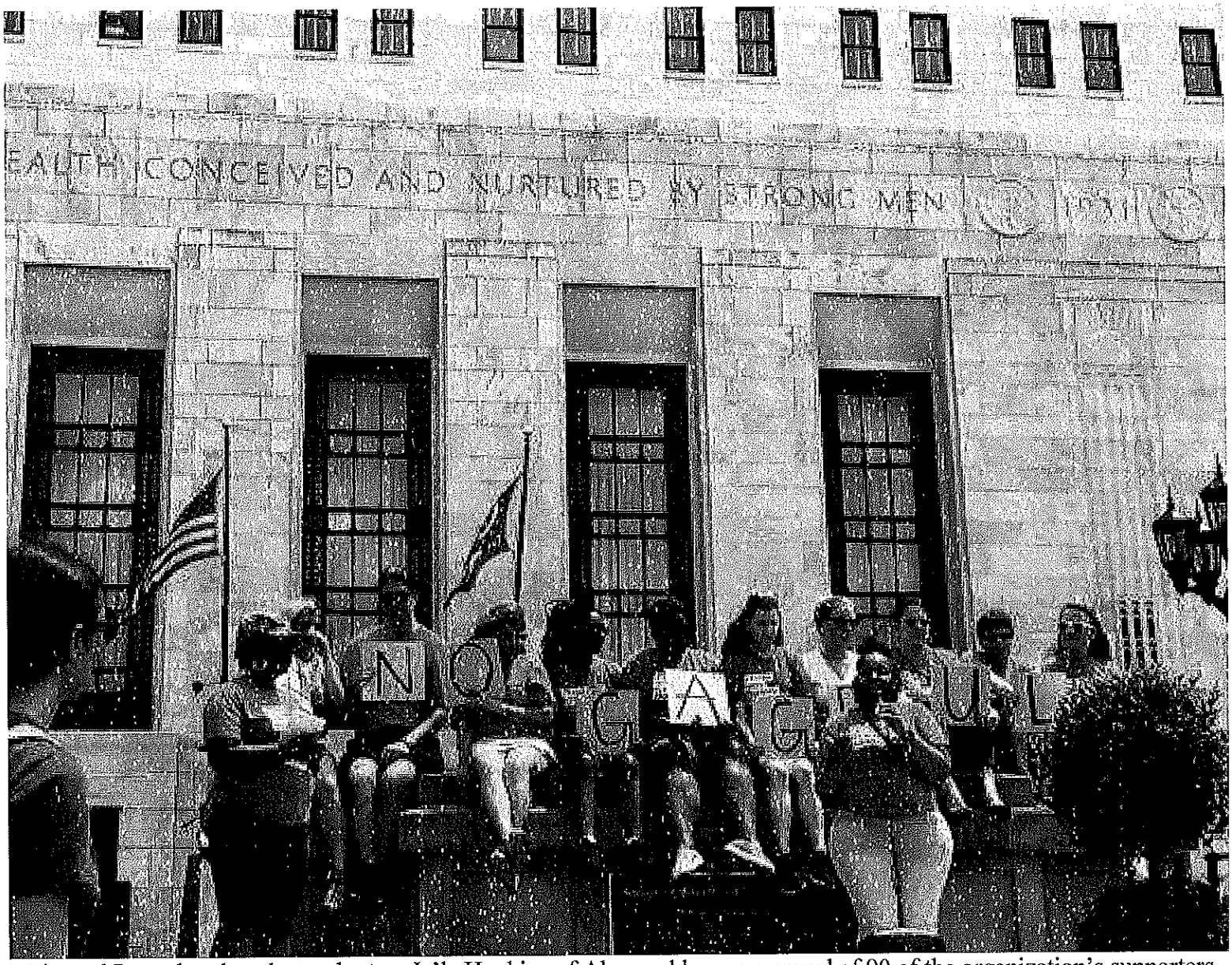
From: Capitol Letter
Sent: Thursday, May 31, 2018 6:15 AM
To: Best, Carolyn
Subject: An impatient Ryan Smith predicts he'll be elected Ohio House speaker next week

Thursday, May 31, 2018 View in Browser

cleveland.com

Capitol Letter

Laura Hancock and Jeremy Pelzer



Planned Parenthood student volunteer Je'la Hopkins of Akron addresses a crowd of 90 of the organization's supporters Wednesday in front of the Ohio Supreme Court. The rally was focused on a proposal by President Donald Trump to prohib recipients, such as Planned Parenthood, of federal family planning dollars from providing abortions or sharing information about where a woman could get the procedure, which opponents call a gag rule. (Laura Hancock /Capitol Letter)

Rotunda Rumblings

The waiting game: House speaker hopeful Ryan Smith predicted Wednesday that lawmakers will decide to hold a speaker vote June 6 (one

of two options put forward by Speaker Pro Tem Kirk Schuring) and elect Smith to serve through the end of the year. During a Statehouse news conference, however, Smith and many of his legislative allies – including Democratic Rep. Bernadine Kent – pushed to hold a vote immediately, though they admitted they didn't have the 50 members needed to force the House into session. Smith said he's collected "a large number" (he wouldn't give an exact number) of letters of support from members as a way to track how lawmakers are voting -- both on whether to hold a speaker vote next week, and, if so, who they'll vote for.

Growing apart: Schuring was one of 47 Republicans to back Smith for speaker during a caucus vote earlier this month. But since then, the Canton Republican has irked Smith – first by unilaterally canceling a speaker vote last week, then by reaching a deal with Ohio GOP Chair Jane Timken and Rep. Larry Householder (Smith's nemesis) to have Schuring preside the rest of the year. Asked about his relationship with Schuring, Smith said Wednesday, "We haven't spoke a lot lately."

Executive assistance? Speaking at the Smith news conference, Rep. Mike Duffey noted that Gov. John Kasich can call a special session of the House to vote on a speaker. "The governor has a role – we can break this logjam," the Columbus-area Republican said. But Smith was cool to the idea, saying he hasn't asked Kasich to get involved. "Honestly, this is a House issue. It should be solved with the people in the House," Smith said. Kasich previously indicated he wants to stay on the sidelines, telling reporters, "They'll figure it out."

Going under: A newly introduced bill would clarify that registered nurse anesthetists don't have to have to work under the immediate supervision of a physician, podiatrist or dentist. Senate Bill 301 also would allow nurse anesthetists to prescribe medication to patients before or after surgery, such as anti-nausea medicines, said Kellie Deeter of the Ohio State Association of Nurse Anesthetists, which supports the bill. Prescriptions would be limited to only those that are administered at the hospital or clinic, and not drugs patients take home, she said. A similar bill is in the House, Deeter said. But House Bill 191 was introduced in April and has only had one hearing.

Meting out a justice: An Ohio House bill would allow judges to carry firearms in courthouses. Some Ohio judges can pack heat, some cannot – depending on local rules. House Bill 622, which is being considered by the House Federalism and Interstate Relations Committee, would end the patchwork of rules to permit all judges to carry firearms, sponsor Rep. Rick Perales said. The bill comes after the August ambush-style shooting of Jefferson County Judge Joseph Bruzzese Jr., who survived the attack. Bruzzese was also armed and exchanged gunfire with the attacker, Nathaniel Richmond, who was ultimately shot and killed by a probation officer.

Fresh START: None of the 47 Ohio families in a year-old pilot program aimed at reducing childhood trauma associated with drug abuse have dropped out, according to a preliminary state report released Wednesday. One of the families is expected to graduate from Ohio START soon. START stands for Sobriety, Treatment and Reducing Trauma, and thus far, the program has received $400,000 from the Ohio Attorney General's office. It's serving families in 17 hard-hit counties. It is modeled after a program in Kentucky and is based on groundbreaking 1998 research about adverse childhood experiences. Children who live in homes with abuse, neglect, substance abuse or other traumas tend to have poorer life outcomes than other children. Ohio University researchers are fully evaluating the program and will produce a more comprehensive report later, the AG's office said.

Stories We're Talking About

Will he or won't he? Attorney General Mike DeWine wouldn't say Wednesday if he'd support right-to-work legislation, cleveland.com's Seth A. Richardson reports. DeWine said it wasn't on his agenda, but plenty of other Republican governors have said the same thing, only to support right-to-work full-throttle after being elected.

Bail-reform bill stalled: "A statewide bail-reform bill, greeted enthusiastically by liberals and conservatives when it was introduced in December, is hung up in the Ohio House of Representatives' Criminal Justice Committee," cleveland.com's Peter Krouse reports. The bill calls for judges to rely less on bail by using objective risk-assessment methods.

State Rep. Nathan Manning said a major concern holding up the is how to pay for data collection.

Ryan fly-in: Republican state Sen. Troy Balderson's congressional campaign got a boost Wednesday as U.S. House Speaker Paul Ryan was the guest at a fundraiser in suburban Columbus, Capitol Letter's Jeremy Pelzer reports. Balderson is seeking to succeed Rep. Pat Tiberi in an Aug. 7 special election agains Democrat Danny O'Connor.

Betting on the future: The Toledo Blade's Jim Provance takes a look at what might lie ahead in Ohio now that the U.S. Supreme Court has cleared the way for states to legalize sports betting. "One approach would keep it within the walls of where major gambling already takes place - at the Las Vegas-style casinos in Toledo, Cleveland, Columbus, and Cincinnati and seven racetrack slots parlors," Provance writes. "Another plan would spread the wealth across the state to sports bars, restaurants, bowling alleys, and fraternal organizations like the Veterans of Foreign Wars and Elks."

Householder holding up House? The Columbus Dispatch's editorial board blames Rep. Larry Householder for the chamber being in limbo, not having a leader and not having sessions to pass laws. In its Thursday editorial, the newspaper also chronicles Householder's past as speaker and concludes, "This is not the man to restore the dignity and competence of the Ohio House."

More ECOT drama: Republican Auditor Dave Yost is seeking a formal role in the court case involving the closure of the controversial online charter school ECOT, the Associated Press reports. An audit Yost released earlier this month concludes the school might have committed fraud. Yost's Democratic opponent in the attorney general's race, Steve Dettelbach, however, says Yost should recuse himself because of his past relationship with the school and campaign contributions he received in the past from the school's founder.

Full Disclosure

Five things we learned from Rep. Fred Strahorn's April 9 financial

disclosure statement. Strahorn, Dayton Democrat, is the minority leader in the Ohio House and is up for re-election in November.

1. Outside the legislature, Strahorn worked as a real estate agent for Coldwell Banker Realty, reporting having earned up to $999 in 2017. As a lawmaker, he earned $90,775 last year, according to the Ohio State Treasurer's office.

2. He has a pension with the Ohio Public Employees Retirement System.

3. At some point in 2017, he owed at least $1,000 each to Capital One and Wright-Patt Credit Union.

4. He went on a trip to Israel hosted by Ohio Jewish Communities, which gave him a $65 plaque and paid for $1,548.27 in flights, hotels and ground transportation, $160.87 for a tour guide, a $30 admission to Masada, the $64.76 cost to swim in the Dead Sea and eat lunch and an extra $562.46 that was associated with the trip but was unspecified what it paid for.

5. He reported Community Blight Solutions paid for $431.03 in food and beverages during the Israel trip.

What's Going On Today

8:30 a.m. – Rob Portman to attend opioid roundtable: The Republican U.S. senator is set to participate in a discussion with the Alcohol and Drug Addiction Services Board of Lorain County, the Lorain County Drug Free Community Coalition and first responders. *The Lakehouse, Veterans Memorial Park, 32756 Lake Rd., Avon Lake.*

9 a.m. – House State and Local Government Committee: Members of the committee may amend and vote on legislation to require a percentage of state contracts to be awarded to women-owned businesses (House Bill 492) and to ban the use of gas chambers to euthanize animals (House Bill 552). *Room 116, Ohio Statehouse.*

10 a.m. – State Employment Relations Board. *12th floor, 65 E. State St.*

1:30 p.m. – Batchelder to be inducted into the Ohio Senior Citizens Hall of Fame: Ex-Ohio House Speaker Bill Batchelder and 11 others are set to be inducted during a ceremony with lawmakers and state officials. *Atrium, Ohio Statehouse.*

3 p.m. – House Aging and Long Term Care Committee: The panel may vote on legislation designed to curb fraud against the elderly (Senate Bill 158) and give retirement credit to teacher assistants involved in county board of developmental disabilities schools and programs (House Bill 572). *Room 122, Ohio Statehouse.*

Straight From The Source

"Rumpled clothing is my go-to tactic to avoid being mistaken for a lobbyist or elected official at the Statehouse."

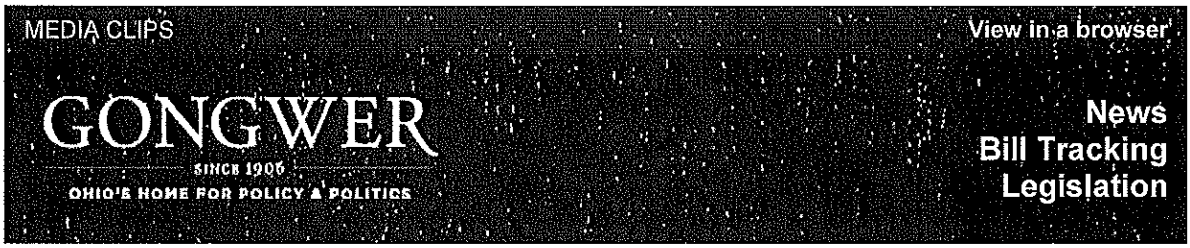
- Hannah News Service reporter Noah Blundo, on Twitter.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com_newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

UNSUBSCRIBE | PRIVACY POLICY | CONTACT US

From: Gongwer News Service
Sent: Thursday, May 31, 2018 8:20 AM
To: Best, Carolyn
Subject: Ohio Media Clips, Thursday, May 31



NEWS

Trump signs bill for terminal patients to try unproven drugs (Akron Beacon Journal, 5/31/2018)

Group says Ohio needs office to lobby for more military jobs (Associated Press, 5/31/2018)

Mike DeWine says right-to-work is not on his agenda. So did GOP governors who later supported it. (Cleveland Plain Dealer, 5/31/2018)

Paul Ryan to attend Troy Balderson fundraiser in suburban Columbus (Cleveland Plain Dealer, 5/31/2018)

Questions about funding stall Ohio bail-reform bill (Cleveland Plain Dealer, 5/31/2018)

State Rep. Scott Lipps wears his last name with a smile (Cleveland Plain Dealer, 5/31/2018)

Brown-Portman bill would give fentanyl detectors to law enforcement (Columbus Dispatch, 5/31/2018)

Democratic group assails Balderson on ECOT campaign cash (Columbus Dispatch, 5/31/2018)

Group says Ohio needs office to lobby for military jobs (Columbus Dispatch, 5/31/2018)

Speaker feud continues as Smith backers call for immediate vote (Columbus Dispatch, 5/31/2018)

Bill would push Ohio schools to open after Labor Day (Dayton Daily News, 5/31/2018)

Dayton company part of 'clean energy' movement that could create 20K Ohio jobs (Dayton Daily News, 5/31/2018)

Dems want to pin ECOT blame on GOP in fall election: What's really going on (Dayton Daily News, 5/31/2018)

Ohio House speaker candidate demands immediate vote (Toledo Blade, 5/31/2018)

Lawmakers losing patience get the promise of a light at the end of the tunnel (WDTN, 5/31/2018)

EDITORIALS

Beacon Journal/Ohio.com editorial board: Listening to voters, the ACLU of Ohio way (Akron Beacon Journal, 5/31/2018)

A troubling window into Army Corps machinations over Cuyahoga River dredge: editorial (Cleveland Plain Dealer, 5/31/2018)

Decisions made in Columbus are forcing local tax increases (Cleveland Plain Dealer, 5/31/2018)

Editorial: Only one real choice in Ohio House speaker mess (Columbus Dispatch, 5/31/2018)

This message is provided to you as part of your subscription to Gongwer News Service.

Please send all correspondence to gongwer@gongwer-oh.com. This mailbox is not regularly monitored.

View as a Web Page

Copyright 2018, Gongwer News Service/Ohio
17 S. High St., Suite 630, Columbus OH 43215
All Rights Reserved. This message and any attachments may not be forwarded or reproduced without express permission from Gongwer News Service.

unsubscribe

From: Westlake, Libby
Sent: Thursday, May 31, 2018 8:44 AM
To: Westlake, Libby
Subject: E-Clips for 5/31/2018

HOUSE E-CLIPS

5/31/2018

Associated Press

GROUP SAYS OHIO NEEDS OFFICE TO LOBBY FOR MILITARY JOBS

Ohio needs an agency that would help put the state at the forefront of military development and lobby for its current bases, a statewide committee recommended.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

DEMOCRATIC GROUP ASSAILS BALDERSON ON ECOT CAMPAIGN CASH

An independent organization backing Democrats launched a digital TV commercial against U.S. House Republican candidate Troy Balderson for not giving up $10,000 in campaign contributions to the founder of defunct online school ECOT.

SPEAKER FEUD CONTINUES AS SMITH BACKERS CALL FOR IMMEDIATE VOTE

Stressing that they are not the ones keeping the House from conducting business, Rep. Ryan Smith and about 25 of his supporters gathered Wednesday to urge a speaker's vote be called as soon as Thursday.

EDITORIAL: ONLY ONE REAL CHOICE IN OHIO HOUSE SPEAKER MESS

The unprecedented breakdown of leadership in the Ohio House of Representatives is about one thing — serving one member's ambition to be speaker come January — and it's time for it to stop.

Dayton Daily News
www.daytondailynews.com

BILL WOULD PUSH OHIO SCHOOLS TO OPEN AFTER LABOR DAY

A bill calling for Ohio schools to begin the academic year after Labor Day had its second hearing before the Ohio House Education Committee last week.

THE PLAIN DEALER

MIKE DEWINE SAYS RIGHT-TO-WORK IS NOT ON HIS AGENDA. SO DID GOP GOVERNORS WHO LATER SUPPORTED IT.

Attorney General Mike DeWine, the Republican nominee for governor, side-stepped questions on Wednesday about whether he would support so-called right-to-work legislation.

STATE REP. SCOTT LIPPS WEARS HIS LAST NAME WITH A SMILE

In the halls of the Ohio Statehouse, it's usually not hard to guess which lawmaker is state Rep. Scott Lipps.

PAUL RYAN TO ATTEND TROY BALDERSON FUNDRAISER IN SUBURBAN COLUMBUS

U.S. House Speaker Paul Ryan is set to be in suburban Columbus on Wednesday afternoon for a fundraiser on behalf of 12th Congressional District Republican nominee Troy Balderson, according to Balderson's campaign.

THE BLADE

One of America's Great Newspapers

REAGAN TOKES RALLY TO PROMOTE SELF-DEFENSE, LEGISLATIVE REFORMS

In a public park less than five miles from where Reagan Tokes was killed 16 months ago, a rally will be held next week to retell her story and promote self-defense and legislative reforms to prevent that story from being repeated.

OHIO HOUSE SPEAKER CANDIDATE DEMANDS IMMEDIATE VOTE

The leading candidate to be Ohio's next House speaker insisted Wednesday on an immediate vote of the chamber rather than a change in rules to allow the current second-in-command to perform the duties of the job but without the title.

From: Best, Carolyn
Sent: Thursday, May 31, 2018 10:00 AM
To: Miller, Brad
Subject:

Carolyn Best
Director of Communications
Ohio House of Representatives/Majority Caucus
77 S. High Street, Columbus, Ohio 43215
Office Phone: 614.644.1739
Cell Phone: 740.815.9635

Thursday, May 31, 2018 View in Browser

cleveland.com

Capitol Letter

Laura Hancock and Jeremy Pelzer



Planned Parenthood student volunteer Je'la Hopkins of Akron addresses a crowd of 90 of the organization's supporters Wednesday in front of the Ohio Supreme Court. The rally was focused on a proposal by President Donald Trump to prohibi recipients, such as Planned Parenthood, of federal family planning dollars from providing abortions or sharing information about where a woman could get the procedure, which opponents call a gag rule. (Laura Hancock /Capitol Letter)

Rotunda Rumblings

The waiting game: House speaker hopeful Ryan Smith predicted Wednesday that lawmakers will decide to hold a speaker vote June 6 (one

of two options put forward by Speaker Pro Tem Kirk Schuring) and elect Smith to serve through the end of the year. During a Statehouse news conference, however, Smith and many of his legislative allies – including Democratic Rep. Bernadine Kent – pushed to hold a vote immediately, though they admitted they didn't have the 50 members needed to force the House into session. Smith said he's collected "a large number" (he wouldn't give an exact number) of letters of support from members as a way to track how lawmakers are voting -- both on whether to hold a speaker vote next week, and, if so, who they'll vote for.

Growing apart: Schuring was one of 47 Republicans to back Smith for speaker during a caucus vote earlier this month. But since then, the Canton Republican has irked Smith – first by unilaterally canceling a speaker vote last week, then by reaching a deal with Ohio GOP Chair Jane Timken and Rep. Larry Householder (Smith's nemesis) to have Schuring preside the rest of the year. Asked about his relationship with Schuring, Smith said Wednesday, "We haven't spoke a lot lately."

Executive assistance? Speaking at the Smith news conference, Rep. Mike Duffey noted that Gov. John Kasich can call a special session of the House to vote on a speaker. "The governor has a role – we can break this logjam," the Columbus-area Republican said. But Smith was cool to the idea, saying he hasn't asked Kasich to get involved. "Honestly, this is a House issue. It should be solved with the people in the House," Smith said. Kasich previously indicated he wants to stay on the sidelines, telling reporters, "They'll figure it out."

Going under: A newly introduced bill would clarify that registered nurse anesthetists don't have to have to work under the immediate supervision of a physician, podiatrist or dentist. Senate Bill 301 also would allow nurse anesthetists to prescribe medication to patients before or after surgery, such as anti-nausea medicines, said Kellie Deeter of the Ohio State Association of Nurse Anesthetists, which supports the bill. Prescriptions would be limited to only those that are administered at the hospital or clinic, and not drugs patients take home, she said. A similar bill is in the House, Deeter said. But House Bill 191 was introduced in April and has only had one hearing.

Meting out a justice: An Ohio House bill would allow judges to carry firearms in courthouses. Some Ohio judges can pack heat, some cannot – depending on local rules. House Bill 622, which is being considered by the House Federalism and Interstate Relations Committee, would end the patchwork of rules to permit all judges to carry firearms, sponsor Rep. Rick Perales said. The bill comes after the August ambush-style shooting of Jefferson County Judge Joseph Bruzzese Jr., who survived the attack. Bruzzese was also armed and exchanged gunfire with the attacker, Nathaniel Richmond, who was ultimately shot and killed by a probation officer.

Fresh START: None of the 47 Ohio families in a year-old pilot program aimed at reducing childhood trauma associated with drug abuse have dropped out, according to a preliminary state report released Wednesday. One of the families is expected to graduate from Ohio START soon. START stands for Sobriety, Treatment and Reducing Trauma, and thus far, the program has received $400,000 from the Ohio Attorney General's office. It's serving families in 17 hard-hit counties. It is modeled after a program in Kentucky and is based on groundbreaking 1998 research about adverse childhood experiences. Children who live in homes with abuse, neglect, substance abuse or other traumas tend to have poorer life outcomes than other children. Ohio University researchers are fully evaluating the program and will produce a more comprehensive report later, the AG's office said.

Stories We're Talking About

Will he or won't he? Attorney General Mike DeWine wouldn't say Wednesday if he'd support right-to-work legislation, cleveland.com's Seth A. Richardson reports. DeWine said it wasn't on his agenda, but plenty of other Republican governors have said the same thing, only to support right-to-work full-throttle after being elected.

Bail-reform bill stalled: "A statewide bail-reform bill, greeted enthusiastically by liberals and conservatives when it was introduced in December, is hung up in the Ohio House of Representatives' Criminal Justice Committee," cleveland.com's Peter Krouse reports. The bill calls for judges to rely less on bail by using objective risk-assessment methods.

State Rep. Nathan Manning said a major concern holding up the is how to pay for data collection.

Ryan fly-in: Republican state Sen. Troy Balderson's congressional campaign got a boost Wednesday as U.S. House Speaker Paul Ryan was the guest at a fundraiser in suburban Columbus, Capitol Letter's Jeremy Pelzer reports. Balderson is seeking to succeed Rep. Pat Tiberi in an Aug. 7 special election agains Democrat Danny O'Connor.

Betting on the future: The Toledo Blade's Jim Provance takes a look at what might lie ahead in Ohio now that the U.S. Supreme Court has cleared the way for states to legalize sports betting. "One approach would keep it within the walls of where major gambling already takes place - at the Las Vegas-style casinos in Toledo, Cleveland, Columbus, and Cincinnati and seven racetrack slots parlors," Provance writes. "Another plan would spread the wealth across the state to sports bars, restaurants, bowling alleys, and fraternal organizations like the Veterans of Foreign Wars and Elks."

Householder holding up House? The Columbus Dispatch's editorial board blames Rep. Larry Householder for the chamber being in limbo, not having a leader and not having sessions to pass laws. In its Thursday editorial, the newspaper also chronicles Householder's past as speaker and concludes, "This is not the man to restore the dignity and competence of the Ohio House."

More ECOT drama: Republican Auditor Dave Yost is seeking a formal role in the court case involving the closure of the controversial online charter school ECOT, the Associated Press reports. An audit Yost released earlier this month concludes the school might have committed fraud. Yost's Democratic opponent in the attorney general's race, Steve Dettelbach, however, says Yost should recuse himself because of his past relationship with the school and campaign contributions he received in the past from the school's founder.

Full Disclosure

Five things we learned from Rep. Fred Strahorn's April 9 financial

disclosure statement. Strahorn, Dayton Democrat, is the minority leader in the Ohio House and is up for re-election in November.

1. Outside the legislature, Strahorn worked as a real estate agent for Coldwell Banker Realty, reporting having earned up to $999 in 2017. As a lawmaker, he earned $90,775 last year, according to the Ohio State Treasurer's office.

2. He has a pension with the Ohio Public Employees Retirement System.

3. At some point in 2017, he owed at least $1,000 each to Capital One and Wright-Patt Credit Union.

4. He went on a trip to Israel hosted by Ohio Jewish Communities, which gave him a $65 plaque and paid for $1,548.27 in flights, hotels and ground transportation, $160.87 for a tour guide, a $30 admission to Masada, the $64.76 cost to swim in the Dead Sea and eat lunch and an extra $562.46 that was associated with the trip but was unspecified what it paid for.

5. He reported Community Blight Solutions paid for $431.03 in food and beverages during the Israel trip.

What's Going On Today

8:30 a.m. – Rob Portman to attend opioid roundtable: The Republican U.S. senator is set to participate in a discussion with the Alcohol and Drug Addiction Services Board of Lorain County, the Lorain County Drug Free Community Coalition and first responders. *The Lakehouse, Veterans Memorial Park, 32756 Lake Rd., Avon Lake.*

9 a.m. – House State and Local Government Committee: Members of the committee may amend and vote on legislation to require a percentage of state contracts to be awarded to women-owned businesses (House Bill 492) and to ban the use of gas chambers to euthanize animals (House Bill 552). *Room 116, Ohio Statehouse.*

10 a.m. – State Employment Relations Board. *12th floor, 65 E. State St.*

1:30 p.m. – Batchelder to be inducted into the Ohio Senior Citizens Hall of Fame: Ex-Ohio House Speaker Bill Batchelder and 11 others are set to be inducted during a ceremony with lawmakers and state officials. *Atrium, Ohio Statehouse.*

3 p.m. – House Aging and Long Term Care Committee: The panel may vote on legislation designed to curb fraud against the elderly (Senate Bill 158) and give retirement credit to teacher assistants involved in county board of developmental disabilities schools and programs (House Bill 572). *Room 122, Ohio Statehouse.*

Straight From The Source

"Rumpled clothing is my go-to tactic to avoid being mistaken for a lobbyist or elected official at the Statehouse."

- Hannah News Service reporter Noah Blundo, on Twitter.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

UNSUBSCRIBE | PRIVACY POLICY | CONTACT US

From: Capitol Letter
Sent: Tuesday, June 5, 2018 6:15 AM
To: Best, Carolyn
Subject: 56 medical marijuana dispensary winners announced

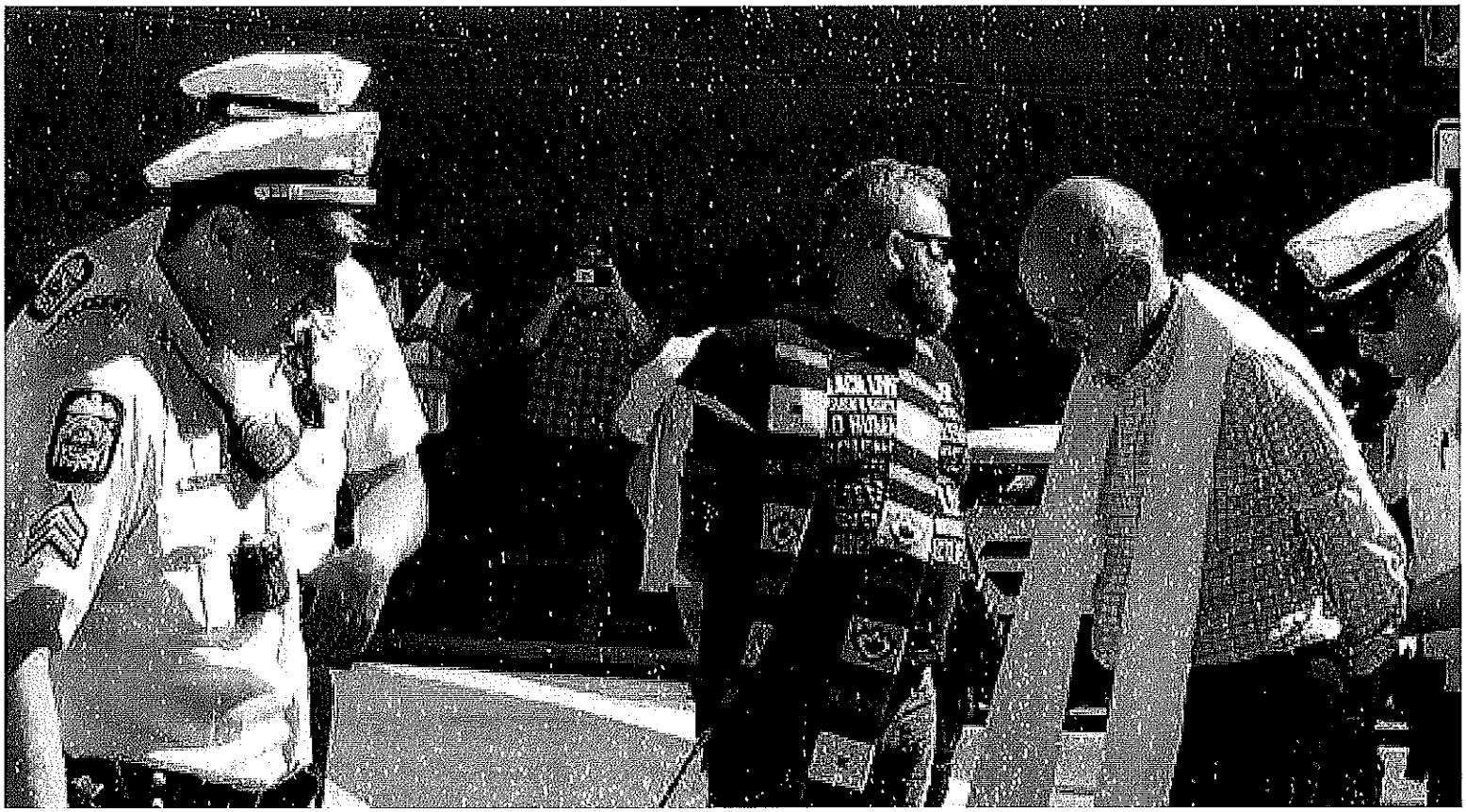
Follow Up Flag: Follow up
Flag Status: Completed

Tuesday, June 5, 2018 View in Browser

cleveland.com

Capitol Letter

Laura Hancock and Jeremy Pelzer



Columbus police arrested nine demonstrators with the Poor People's Campaign who had been in the street during Monday afternoon rush hour, including Dan Clark, in the colorful stole, pastor at St. John's Church in Columbus, and Roger Osgood in the white stole, pastor of Heights Christian Church in Shaker Heights. The campaign, which demonstrated near the Ohio Statehouse, wants renewable energy, universal health care, services for people with disabilities and a repeal of the 2017 federal tax law, among other issues. (Laura Hancock/cleveland.com)

Rotunda Rumblings

Pot shops: The state announced 56 winners of provisional medical marijuana dispensaries Monday. Want to know if any shops will be in your town? Cleveland.com? 9s Jackie Borchardt has the list and their addresses.

Voting help, at your service: New Ohio Senate legislation would require the secretary of state to create an office specifically to help military service members vote absentee while on active duty. Under Senate Bill 305, the Office for the Uniformed Services Absent Voter would educate military

voters before they deploy about their voting options and would be notified when a voter may miss an election because they're on active duty. Bill sponsor Sen. Frank LaRose, the Republican nominee for secretary of state who served overseas as a U.S. Army Green Beret, stated in a letter to his Senate colleagues that a 2014 poll found two-thirds of military personnel were not confident their vote would be counted or found the absentee-voting process overly complex.

Supreme score: The company that chops up a "slag mountain" near Youngstown to turn it into road-building material is entitled to a reduction in state taxes, the Ohio Supreme Court ruled last week. The court unanimously decided that the Ohio tax commissioner wrongly assessed the tax owed on repair parts and fuel for machinery that Lafarge North America uses to break slag, a byproduct of the steel-making process.

Recounting the details: Republican 12th Congressional District candidate Melanie Leneghan has requested a $2,880 recount in 48 precincts across four counties, according to a letter sent to Franklin County elections officials. Leneghan, who lost the May 8 primary to state Sen. Troy Balderson by 653 votes, has asked for a recount in 21 precincts in Franklin County, 16 in Muskingum County, six in Licking County and five in Delaware County. The recount is set to start on Wednesday and could take several days, according to elections officials. Leneghan only asked to re-tabulate votes in the primary in which Balderson was nominated for the November election. The November winner will serve a full two-year term beginning next year. She did not challenge a primary the same day in which Balderson won the GOP nomination for an Aug. 7 special election. The winner of that election will only serve until the end of this year.

Scheduling note: While the Ohio House appears close to ending the deadlock over electing an interim speaker, it's still unclear when the chamber might start addressing its growing backlog of bills. According to House Republican spokesman Brad Miller, the election for speaker will be the only item on Wednesday's House agenda, and it hasn't yet been decided when the House would meet after that to vote on legislation before breaking for the summer.

Have your cake: The U.S. Supreme Court ruled in favor of a Colorado

baker who refused to make wedding cakes for same-sex couples on religious grounds, reports cleveland.com's Sabrina Eaton. The case doesn't allow store owners to discriminate against same-sex couples broadly, but instead focused on Colorado officials' comments during the case, which the court found violated the baker's First Amendment rights.

"Trade wars are good, and easy to win": If you pulled Canada in your office trade war pool, congratulations. You= 2re the winner. Canadian Prime Minister Justin Trudeau announced he would impose retaliatory tariffs, and Ohio would be one of the hardest hit in the nation with $1.75 billion in goods affected. Cleveland.com's Robin Goist breaks down what industries might feel the squeeze.

It's not even vest season: Multiple agents with the Bureau of Criminal Investigation are wearing vests that are completely out of style – so much so that they are expired and potentially dangerous to the officers. Julie Carr Smyth of the Associated Press reports on a union complaint that listed 53 of 99 special agents, investigators and personnel transport workers whose Kevlar vests are past the five-year expiration date.

Mental health: It's been 10 years since the state closed Twin Valley – the inpatient psychiatric hospital in Dayton – and the move has proved to be a drain on resources, according to the Daily Dayton News. Instead of having a place to house patients with mental illnesses, law enforcement is often dispatched to do so after they commit a crime.

Surprising the competition: The districts in Ohio are gerrymandered to favor Republicans, but the current political climate has at least two congressional Republicans playing defense, Jack Torry of The Columbus Dispatch writes. U.S. Rep. Steve Chabot has a competitive race in the Cincinnati area against Hamilton County Clerk of Courts Aftab Pureval in a district that could flip. But also playing D is U.S. Rep. Bob Gibbs, who is facing an aggressive campaign from veteran Ken Harbaugh.

Tell your family and friends! You probably already know that it's now free to subscribe to Capitol Letter. So spread the word! Chris Quinn, Advance Ohio/cleveland.com editor and president, explains why we decided to make our newsletter available to everyone. You can sign up here.

Full Disclosure

Five things we learned from state Rep. John Boccieri's April 9 financial disclosure statement. Boccieri, a Mahoning County Democrat and former congressman, is running this November for Senate District 33.

1. In addition to working as a state lawmaker, he also works as a pilot with United Airlines and as a pilot and squadron commander with the U.S. Air Force Reserve.

2. On top of his annual legislative salary of $60,584, Boccieri's two other jobs as a pilot each earned him $50,000 to $99,999 in 2017.

3. He listed investments of at least $1,000 each in more than a dozen mutual funds, as well as in 19 different stocks and exchange-traded funds ? 3 including Google and Berkshire Hathaway.

4. During 2017, the Ohio House of Representatives reimbursed him $4,330 in official travel expenses.

5. Boccieri also holds licenses to sell property, casualty, life and health insurance, as well as products such as mutual funds and variable annuities.

On the Move

Brittany Warner has been hired as director of communications for Republican Mike DeWine's gubernatorial campaign. She's moving over from managing Sen. Frank LaRose's Republican campaign for secretary of state. A former Ohio Republican Party spokeswoman, Warner got the job after Ryan Stubenrauch, who handled communications for DeWine's campaign during the primary, left for a private media consulting firm.

Grant Shaffer is LaRose's new campaign manager. Shaffer worked for Lt. Gov. Mary Taylor's gubernatorial campaign and New Day for America, the super PAC that supported Gov. John Kasich's presidential bid.

Joshua Eck has officially been named the DeWine campaign's press secretary and spokesman; the former secretary of state spokesman has already been handling similar duties for the campaign.

Michael Hall will serve as the DeWine campaign's policy director. Hall most recently worked as a partner in the public affairs and government law group at Ice Miller, a Columbus law firm.

Birthdays

Erin Sutter, Buckeye Institute's manager of strategic partnerships

Straight From The Source

"This is a big win for the First Amendment and religious freedom, and a brutal defeat for government activists who are hostile to people of faith."

- Ken Blackwell, a Republican and former Ohio secretary of state and treasurer, commenting on Twitter about Monday's U.S. Supreme Court ruling that a Colorado baker can refuse on religious grounds to make a wedding cake for a gay couple.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com_newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

UNSUBSCRIBE | PRIVACY POLICY | CONTACT US

From: The Buckeye Institute
Sent: Tuesday, June 5, 2018 11:21 AM
To: Best, Carolyn
Subject: The Buckeye Institute Urges Ohio Policymakers to Pursue Systemic Tax Reform

THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

(614) 224-3255 or **Lisa@BuckeyeInstitute.org**

FOR IMMEDIATE RELEASE
June 5, 2018

The Buckeye Institute Urges Ohio Policymakers to Pursue Systemic Tax Reform

Greg Lawson Testifies Before the Ohio House Ways and Means Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio House Ways and Means Committee on House Bill 333.

In opening his testimony, Lawson noted that "nullifying tax penalties and making the tax code fairer for taxpayers is...laudable" and, quoting from a **study** by the American Enterprise Institute and the Brookings Institute, further highlighted the "significant correlation between marriage, poverty, and economic growth."

Lawson also noted that the "new marriage neutrality is only necessary because Ohio's tax code remains tragically progressive," and went on to say the policy "addresses but one symptom of a bed-ridden patient without offering any lasting cure."

The cure, Lawson said, is systemic change to Ohio's tax code that would include reforming the municipal income tax structure and would create a tax system that is pro-growth, simple, transparent, fair, and equitable, as outlined in Buckeye's ***Tax Reform Principles for Ohio***.

Lawson applauded the efforts of policymakers to eliminate Ohio's marriage penalty, but urged them to pursue "fundamental changes" that will spur economic growth and help families "climb the ladder of prosperity."

###

Interested Party Testimony Before the Ohio House Ways and Means Committee on House Bill 333

Greg R. Lawson, Research Fellow
The Buckeye Institute
June 5, 2018

Chairman Schaffer, Ranking Member Rogers, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 333.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

House Bill 333 will annul the "marriage penalty" currently wedded to Ohio's personal state income tax. Nullifying tax penalties and making the tax code fairer for taxpayers is, of course, laudable. Eliminating this particular penalty -- and thereby encouraging, rather than discouraging marriage -- is especially worthwhile considering the significant correlation between marriage, poverty, and economic growth.

Last year, for instance, the American Enterprise Institute (AEI) and Brookings Institute found that "Less than half of poor Americans age 18 to 55 (just 26 percent) and 39 percent of working-class Americans are currently married, compared to more than half (56 percent) of middle- and upper-class Americans,"[1] indicating a strong connection between the matrimonial bond and economic status.

Using "models that control for a range of factors...that might otherwise confound the family-economy link at the state level," an earlier AEI study concluded in 2015:

"Higher levels of marriage, and especially higher levels of married-parent families, are strongly associated with more economic growth, more economic mobility, less child poverty, and higher median family income at the state level in the United States. When we compare states in the top quintile of married-parent families with those in the bottom quintile, we find that being in the top quintile is associated with a $1,451 higher per capita

GDP, 10.5 percent greater upward income mobility for children from lower-income families, a 13.2 percent decline in the child poverty rate, and a $3,654 higher median family income."[2]

Thus, on purely socio-economic policy grounds, policymakers should reduce if not eliminate disincentives to marry. The tax code's disincentives or the so-called "marriage penalties" arise when two people with similar incomes get married and jointly file their tax returns.[3] When the newly-weds combine their incomes and file jointly, they enter a higher bracket than if they chose to remain single and file separately.[4] This higher tax liability penalizes marriage -- effectively using the tax code to pick winners (those who do not marry) and losers (married couples filing jointly). When governments pick winners and losers, people tend to suffer.

HB 333 offers relief to a large number of Ohio families currently losing an unfair tax game because it allows married joint-filers to claim a new tax credit such that they would pay no more than if they could legally file separately. Such tax relief is good.

But HB 333's new marriage neutrality, of course, is only necessary because Ohio's tax code remains tragically progressive. Describing the similarly progressive federal tax code's "marriage penalties," Congress' Joint Committee on Taxation once explained:

"The current tax system is progressive: as a taxpayer's income rises, the tax burden increases as a percentage of income. It also taxes married couples with equal income equally: it specifies the married couple as the tax unit so that married couples with the same income pay the same tax. However, it is not marriage neutral."[5]

Although HB 333 takes a positive step forward in the fight against unfair taxation, it is important to recognize its limitations. It addresses but one symptom of a bed-ridden patient without offering any lasting cure. Even after HB 333 nullifies the state's marriage penalty, Ohio will still suffer from its growth-killing disease: progressive taxation. Indeed, after accounting for the state's municipal income tax structure -- the worst local tax system in America -- Ohio ranks in the upper half of the nation in combined state and local tax burden.[6] And removing the state's marriage penalty, unfortunately, will not do enough to change that.

More systemic changes are needed. As The Buckeye Institute explained in our *Tax Reform Principles for Ohio*,[7] the state's tax code should be pro-growth, simple, transparent, fair, and equitable.[8] Flatter taxes on broader bases, without special exemptions, will lower the tax burden and spread their cost more evenly and fairly among taxpayers. Streamlining and simplifying the local tax structure will help, too. So although we applaud the efforts to end